

Montgomery County Government

Agreement to Participate in Conflict Facilitation Process (CFP)

The undersigned parties agree to utilize the Montgomery County Government Conflict Facilitation Process (CFP) in an attempt to resolve the outstanding issues between them in accordance with the following terms:

1. The parties agree to participate in good faith and make a sincere effort to reach agreement. The parties retain the ultimate responsibility to resolve the matter.
2. After making a good faith effort to resolve the issues, either party may request to end the facilitation. The decision to end the facilitation rests with the CFP Facilitators. The CFP Facilitators may determine to end the facilitation at any time.
3. The parties will not seek to compel the testimony, by subpoena or otherwise, of the Facilitators in any proceeding for any reason. The parties also will not seek to compel, by subpoena or otherwise, the production of documents created for or during the facilitation in any proceeding for any reason. Evidence that is otherwise admissible or discoverable will not be rendered inadmissible or non-discoverable as a result of its use in the CFP process.
4. The parties understand that the Facilitators are impartial and have no stake in the outcome. The Facilitators are not advocates for the parties and will not provide either party with legal advice and will not make any factual determinations.
5. The parties agree not to rely on nor introduce as evidence in any proceedings any views, comments, or suggestions made by any party or participant with respect to a possible settlement of the dispute, any admissions made by another party or participant during the CFP session(s), or any proposals, opinions, or comments of the CFP Facilitators.
6. The parties understand that they may seek advice from an attorney or whomever they wish. However, the parties understand that the CFP sessions are private, and non-parties may attend only with the permission of all parties and the Facilitators.
7. The parties understand that no recording, of any kind, will be made of the CFP session(s).
8. The parties understand and agree that this process is a confidential one and that information about what occurred during the process may only be shared with non-participants on a need-to-know basis.

9. The parties understand that, should the parties not reach agreement utilizing the CFP process, the Facilitators may make recommendations to the parties' department and/or the Office of Labor Relations (OLR) as to possible steps that may be taken to address the issues raised in the dispute.

10. The parties agree that any resolution to this matter shall be reduced to a written agreement using the Conflict Facilitation Resolution Agreement.

Participant One (Print Name)

Signature

Participant Two (Print name)

Signature

Co-Facilitator One (Print name)

Signature

Co-Facilitator Two (Print name)

Signature