Dispute resolution map in the Public Service - from public servant's perspective

"What does the dispute resolution process look like today?"

Go to the Internal

Go to the Deputy

Go to the

Dispute

STAGES

01/1020	analysis	to solve dispute	Supervisor	Management Unit	Audit Unit	Minister / Supervisor
Objectives	Understand the essence of the dispute	Determine the possibilities for resolution and make certain choices	Receive recommendations and timely dispute resolution	Make competent conclusions; Receive recommendations	Study the dispute and make a competent conclusion; Dispute settlement at internal level	Dispute settlement at internal level; Final conclusion
Existing information	Actual circumstances of the dispute		Legal Acts · Practice	Experience of employer Manager's position	Information received from HR	Conclusions of all phases Practice
Actions	\$					
	Analyzing Observation	 Retrieving further information Clarifying the rights Specifying with colleagues 	 Formation of arguments Interview with the manager Consulting with lawyers / colleagues 	 Addressing Providing information to the supervisor 	 Formation of argumen Addressing it formally (statement/official let) Providing information the supervisor Consulting with lawyer 	formally ter) • Dialogue to • Making a decision
Challenges	 Emotional background Awkwardness Discomfort 	Lack of information Incorrect analysis of information	 The danger of bullying Distrust The danger of unserious dependence The danger of open conflict and bias 	 Avoiding the problem The correct supply and perception of the arguments The danger of bullying Risk of an open conflict 	 Negative attitude of the management The danger of bullying Open conflict 	 Avoiding the problem Negative attitude of management The danger of bullying Open conflict
Needs	Courage Self- confidence	Seeking competent ideas Information about ones rights	 Courage Openness of the supervisor Clarifying the details 	Protection of rights/ positions Response / feedback Maintaining confidentiality	Protection of rights/ positions; Information about the process Response / feedback on the parties Confidentiality maintained Need for a consultation mechanism	Response / feedback
EMOTION	Uncertainty	Confusion Tension	Hope Discomfort	Readiness to fight Tension	Hope • Fear	DisappointmentTensionRageFatigue
Норе	+	<u> </u>	+	+	+	+
Combatability		illi.			illin.	illin.
Fatigue						

What do the Civil Servants think?

"A civil Servant is always held back by the emotional factors and the following question: - Is it worth to start a dispute?"

"There is a "Whistleblowing Protection Mechanism" aim of which is supposed to be protection and insurance of the employer from unfair, arbitrary decisions. The above-mentioned mechanism, unfortunately, does not work and has certain gaps;"

"The challenge associated with all stages of dispute resolution is the bullying caused by spreading the information of the dispute to the employees;"

"When going to the Audit, or General Inspection, our aim is to receive competent guidance and to ensure the in-depth analysis of the matter;"

"Ideally, our goal is to solve the problem without the trial and with the minimum number of people involved;"

"It is important to inform civil servants, to ensure that they have information on their rights at each stage of the process;"

"We need to know who is our addressee and what rights do we have. A brochure could be made which would suggest a comprehensive list of possible cases, rights and obligations;"

"It would be good to have a mechanism for confidential consultation, so-called "Confidential Council". The above-mentioned mechanism may exist within the department, which the employee may go to, with the guarantee that the information about a specific case will remain confidential. Hence, the Civil Servant will be able to receive competent advice, information, emotional support, etc."

"In the desired scenario, the dispute is quickly resolved within the office or within the department;"

"We know about legislative acts. However, we need more in-depth information, an action plan;"

"Involvement of the independent and neutral mediator would be a solution."



Methodology:

The procedural description of dispute settlement in the public service was carried out using the "User Journey" method. The above-mentioned method implied the gradual review of the following process from the civil servant's perspective, from the origin of the disputes to a detailed analysis of the identified stages. Each phase analysis was carried out according to the following criteria:

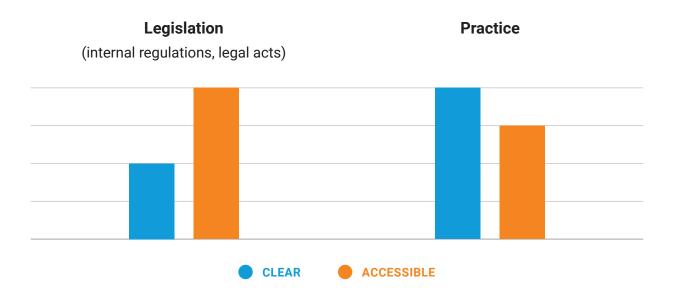
- Goal "What is the goal of the civil servant at this stage?"
- Existing information "What information does the civil servant have?"
- Action "What are the actions performed by the civil servant?"
- Challenges "What challenges does the Civil Servant face?"
- Needs "What are the needs of the Civil Servant at this stage?"
- Emotion / Attitude "What emotions does the Civil Servant experience at this stage?

Dispute resolution map in the Public Service - from public servant's perspective

"What is the desired process of resolving disputes like?"

STAGES	Dispute analysis	Search for ways to solve dispute	Direct to (Direct / superior) head	Mediation	Direct to Internal Audit Unit
Objectives	Understand the essence of the dispute	Determe the possibilities for resolution and make certain choices	Receive recommendations and timely dispute resolution	Timely dispute resolutionLocalization of the dispute	Dispute settlement at internal level;
Existing information	Actual circumstances of the dispute	Legal ActsPracticeExperience of employees	Results of the consultation Legal Acts	Results of the consultation Legal Acts Manager's position	Results of the MediationLegal actsPractice
Actions	0				
	AnalyzingObservationDialogue	 Consultation Sharing the experience 	 Formation of arguments Interview with the manager 	ParticipationMediation	 Formation of arguments Addressing it formally (statement/official letter) Providing information to the supervisor Consultation
EMOTION	Hope Discomfort	MotivationHope	• Норе	Hope Self-confidence	Hope Feeling of justness
Норе	+	+	+	+	→

Assessment of the existing information:













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- Ministry of Economy and Sustainable Development of Georgia
- Ministry of Education, Science, Culture and Sport of Georgia
- Ministry of IDPs, Health, Labour and Social Affairs of Georgia
- National Security Council of Georgia

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