

## Section 3D Dispute Resolution Form—2021 KP-Alliance National Agreement

### To be completed by Filing Party

Filing Party:

Market/Service Area:

Date Submitted:

Does the dispute impact a single market or multiple markets (Reasoning behind the response)?

Is the result of the dispute precedent or not-precedent setting?      Yes      No

Who are the appropriate parties needed to resolve the dispute (e.g., Benefits, Total Compensation, etc.):

Has dispute been discussed using Interest-Based Problem Solving? If so, when and parties involved:

Type of Issue:      Economic      Non-Economic      Both

Description of the issue or alleged violation (when did party become aware of said violation, section/article of contract that is alleged to be violated, details and facts):

Why the issue has not been resolved, where is the breakdown:

Any additional information you would like to add:

### To be completed by Triage Team

Does the dispute impact a single market or multiple markets (Reasoning behind the response)?

Is the result of the dispute precedent or not-precedent setting?      Yes      No

Who are the appropriate parties needed to resolve the dispute (e.g., Benefits, Total Compensation, etc.):



## Definition of Roles Under Section 3D

### Dispute Filers:

- » Will use the appropriate approved form to file the dispute
- » Submission of dispute within 60 days or dispute will be barred
- » Submission of all relevant documents before the completion of the fact finding 60-day timeline
- » Actively collaborate with Fact Finders in framing the dispute, collecting all relevant documents, and identifying witnesses

### Fact Finders:

- » Fact Finders must provide an accurate report with all relevant facts to be considered to the Tri-Chairs (facts and documents not provided or submitted late will not be considered in resolving the dispute, except to respond to issues that arise in the hearing)
- » In collaboration with the dispute filers and responders, Fact Finders should identify all witnesses and attach all documents that bear on the dispute in their report
- » Fact Finders may take an active role in asking question to develop a more comprehensive record
- » Fact Finders should attempt to mediate the issue
- » Fact Finders should try to agree on facts. If they cannot, each side can state its understanding of the facts separately; however, this should be avoided whenever possible

### Panelists:

- » Panelists must receive all documents at least 10 days prior to panel
- » Witnesses must be identified at least 10 days prior to panel
- » Panelists may take an active role in asking questions to develop a more comprehensive record and possibly settle the dispute

- » The panel will seek to expedite the presentation of information from relevant parties
- » Panelists should be active in trying to settle disputes prior to decision
- » Panelists may share preliminary findings in order to encourage settlement before issuance of a binding decision
- » The parties may consider establishing panels to hear all disputes within a time frame (e.g., one year) to facilitate settlement and promote consistency of decisions

### Advocates:

- » A meeting shall occur between the advocates at least 10 days prior to panel to: (1) exchange documents; (2) identify witnesses; (3) stipulate to facts and exhibits in an effort to limit the need for testimony; and (4) attempt a potential settlement of the subject dispute
- » The advocates will cooperate and seek to resolve the dispute in the spirit of partnership

### Third Party Neutral:

- » Third Party Neutral may take an active role in asking questions to develop a more comprehensive record in an effort to resolve the dispute
- » Shall seek to settle the dispute in discussions with the parties' advocates and with the panels
- » Shall provide a concise written determination within 30 days following the completion of the panel dispute if no settlement can be achieved
- » The Third Party Neutral may request more documents and information than has been provided through the fact-finding process
- » There will be no transcripts or briefs unless agreed upon by the parties or requested by the Third Party Neutral