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JOINT GUIDELINES FOR THE RECOGNITION OF COOPERATIVE CONCILIATOR-MEDIATOR AND RECOGNITION OF ADR TRAINER

CDA MEMORANDUM CIRCULAR NO. 2007-09, August 23, 2007

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Pursuant to the approved Program of the Authority on the Implementation of Alternative Dispute Resolution (ADR) Mechanisms, the following guidelines are hereby adopted for the Recognition of Cooperative Conciliator-Mediator and Recognition of ADR Trainer in accordance with Memorandum Circular No. 2007-3, Series of 2007 as per BOA Resolution No. 74-S-2007 dated March 20, 2007 ("Guidelines for the Implementation of Conciliation-Mediation for Cooperative at the CDA) and Section 8 of Republic Act No. 6939, which quoted as follows:

"Upon request of either or both parties, the Authority shall mediate and conciliate disputes within a cooperative or between cooperatives; Provided, That if no mediation or conciliation succeeds with in three (3) months from request thereof, a certificate of non resolution shall be issued by the commission prior to the filing of appropriate action before the proper courts"

SECTION 1. Title - These guidelines shall be known as the "Joint Guidelines for the Recognition of Cooperative Conciliator-Mediator and Recognition for ADR Trainer" of the Authority.

SECTION 2. Who is an ADR Service Provider - ADR Service Provider is a group/ team of CDA recognized ADR Trainers who will join together for purposes of training the proposed mediators/conciliators and ADR Trainers for the cooperative sector. This includes the Conflict Resolution Group, Inc. (The CoRe Group, Inc.) which has been commissioned by CDA in training the first and second batch of selected CDA personnel and cooperative representatives as ADR mediators and trainers.

SECTION 3. Who may apply for Recognition - Any individual member/employee of a registered Cooperative or person employed, affiliated or connected with duly registered Non-Government Organization (NGO) or Private Institution (PI) who have undergone the training on mediation-conciliation and as ADR trainer conducted by CDA recognized ADR service provider.

SECTION 4. Qualification Requirements for Recognition of Cooperative Conciliator-Mediator - The applicant must:

1. Be Proficient in Cooperative and CDA policies and procedure;

2. Possess a mature disposition and of good moral character, certification of which must be issued by the Board of Directors of the coop where he/she is a member, or equivalent certification issued by a person in authority (e.g. certificate of employment, barangay certification, etc.);

3. Be Committed to Conciliation-Mediation practice;

4. Successfully completed an ADR Training Program of forty hours (40) classroom training conducted by a CDA or its duly recognized service provider, which at least includes the following modules:

- What is Conflict? (with and Exercise)

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- Victimhood Program
- Two Basic Responses of Conflict
- Non Adversarial Communication
- Conflict Resolution Spectrum
- Negotiation
- Integrative Negotiation Analysis Framework
- What is Mediation?
- Process of Mediation
- Practice in Triads
- Video Showing (e.g. Mapayapa Vendors Association Video)
- Establishing Buy-Ins
- Impartiality (an Exercise)
- Writing a Sturdy Agreement
- Exercise in Writing an Agreement
- Special Skills of a Mediator

5. Forty (40) Hours of practical internship where at least three (3) cases are handled; and

6. Pass the written and practical assessment administered by CDA or its duly recognized service provider.

SECTION 5. Qualification Requirements for Recognition of Cooperative ADR Trainer - The applicant must:

1. Be a qualified conciliator-mediator;

2. Have successfully completed an ADR Training of Trainers Program conducted by a CDA or its duly recognized CDA service provider;

3. Upon passing of the CDA Training of Trainers program, the graduate must conduct at least three (3) ADR training programs alone or as part of a team and pass at least one (1) critique made by a peer reviewer or a fellow ADR Trainer.

SECTION 6. Application and Procedures - An application for recognition shall be made in writing and submitted together with the required documents to the concerned Extension Office. The Sr. CDS for Cooperative Research, Information and Training Section (CRITS) in the Extension Office shall evaluate and verify the authenticity of the attached documents. If complete, the Extension Office Director shall recommend the list/s or name/s of the applicant/s to the Board of Administrators thru the Cooperative Research Information and Training Division (CRITD) for the issuance of Certificate of Recognition of the proposed mediator/s-conciliator/s and/or as ADR Trainer.

SECTION 7. Required Documents - The following required documents must be submitted to the CDA Office:

A. For Recognition of Cooperative Mediator-Conciliator

1. Application for Recognition;

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2. Personal Data Sheet with 2 x 2 picture;
3. Recommendation letter from Cooperative Chairman or NGO/PI where he/she is affiliated;
4. Certification of Proficiency on Cooperative and CDA policies and procedures from the Chairman of the Cooperative/NGO/PI;
5. Certificate of Mature Disposition and Good Moral Character from Chairman of the Cooperative/NGO/PI or any head of a religious sect or congregation;
6. Pledge of Commitment to serve and practice as Mediator-Conciliator to Cooperatives administered by CDA/Regional Director concerned;
7. Certificate on Completion of Training on Cooperative Conciliation-Mediation or ADR Training Program conducted by CDA or its recognized service provider.
8. Certificate on Completion of Written and Practical Assessment administered by CDA or its recognized service provider.

B. For Recognition of ADR Trainer

1. Certificate of Recognition as Mediator-Conciliator issued by CDA; and

2. Certificate of Training as Trainer issued by CDA or its recognized service provider.

3. Submits a training design on ADR.

Note:

1. Those who were endorsed by the CoRe Group, Inc. to have satisfactorily completed the Scholarship Program on Mediation shall be granted for Recognition as Mediator for the Cooperative Sector.

2. Those who have completed the Training of Trainers Program conducted by CoRe Group, Inc. also be granted the recognition as ADR Trainers.

3. Submission of the required documents enumerated above is necessary for the issuance of the corresponding Recognition Certificates and CDA Mediator Badge.

SECTION 8. Recognition Fees - An Application Fee for recognition as Mediator is ONE THOUSAND PESOS (P1,000.00) and as ADR Trainer is TWO THOUSAND PESOS (P2,000.00) shall be paid to the Authority for this purpose.

SECTION 9. Term of Recognition - The Recognition of Cooperative Conciliator- Mediator and ADR Trainer shall have a term of Two (2) Years, and renewable every two (2) years at the discretion of the Authority.

SECTION 10. Renewal Requirements - The application for the Renewal of Recognition as Mediator-Conciliator shall be made by submitting the following requirements;

A. For Mediator-Conciliator:

1. Application for Renewal of Accreditation as Cooperative Conciliator-Mediator;
2. Shall have attended a refresher course on ADR and updates on CDA policies and programs;
3. A certification from the Chairman that the Conciliator-Mediator is still a cooperative member or connected with the recognized NGO/PI;
4. Recommendation Letter address to the CDA by the Chairman recommending the renewal of the applicant;
5. Report of Conciliation-Mediation conducted duly certified by the concerned Chairman of the Cooperative or recognized NGO/PI or by the CDA;
6. Copies of Evaluation Reports duly signed by parties that have been conciliated-mediated by the applicant;
7. If for two (2) years have not mediated any cooperative conflict, submit himself/herself for a practical and

written examination to be conducted by CDA or its duly authorized service provider; and
8. A Renewal Fee of Five Hundred (P500.00) Pesos.

B. For ADR Trainer

1. Application for Renewal as ADR Trainer;
2. Have conducted/co-facilitated at least three (3) full course on Mediation or ADR Training Program;
3. Be a recognized mediator;
4. Must have undergone a refresher course for ADR trainers;
5. Submits an updated ADR Training design
6. Renewal Fee of Five Hundred Pesos (Php500.00)

SECTION 11. Continuing Education and Training Program for Conciliators- Mediators - The CDA and its Extension Offices shall include in their Annual Work Plan and Budget the conduct of Education and Training Program for recognized Conciliators-Mediators in order to upgrade their skills and update them on the latest developments and issuances of CDA policies and procedures including a practical examination (fishbowl) and written examination.

SECTION 12. Code of Ethical Standards of Professional Mediation Practice - Accredited Conciliators-Mediators must adhere and shall observe at all times the prescribed Code of Ethical Standards of Professional Mediation Practice duly approved by the Authority.

SECTION 13. Separability Clause - If for any reason or reasons, any portion or provision of these Guidelines shall be held unconstitutional or invalid, all other parts or provision not affected shall remain in full force and effect.

SECTION 14. Effectively - These guidelines shall take effect after the approval by the Board of Administrators and fifteen (15) days after the completion of publication in the Official Gazette or at least two (2) national newspapers of general circulation.

Adopted: 23 Aug. 2007

For the Board of Administrators:

(SGD.) LECIRA V. JUAREZ
Chairperson

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