

# ADR -FAQs

## Frequently Asked Questions:

**Q; Who can initiate an ADR process?**

**A: Employees, supervisors, managers and unions.**

**Q; Do I have to use the ADR process? What's the point?**

**A: Why wouldn't you? It gets you and the other person to the table to resolve the issue/conflict in a short amount of time.**

**Q: Who should be present during the mediation?**

**A: Each party can have a representative or can represent themselves.**

**B: Management official with the authority to resolve the issue.**

**Q: If I try ADR, do I lose my rights under the grievance or EEO complaint process?**

**A: No. Neither person waives any rights to proceed in any forum if issue (s) is not resolved, but be sure to adhere to all rules for each forum.**



**Remember that ADR offers the chance to let others know how you view the situation, and it also offers an opportunity to work out an agreement for the future. With this in mind, come to the ADR event prepared to explain your views and ready to listen to the views of others.**

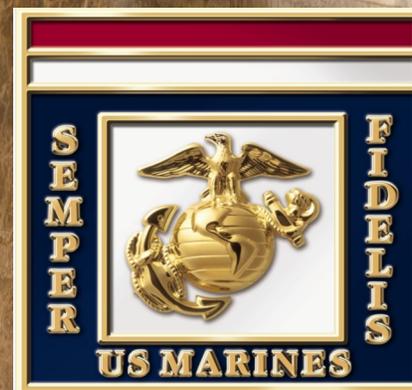
### Getting Started

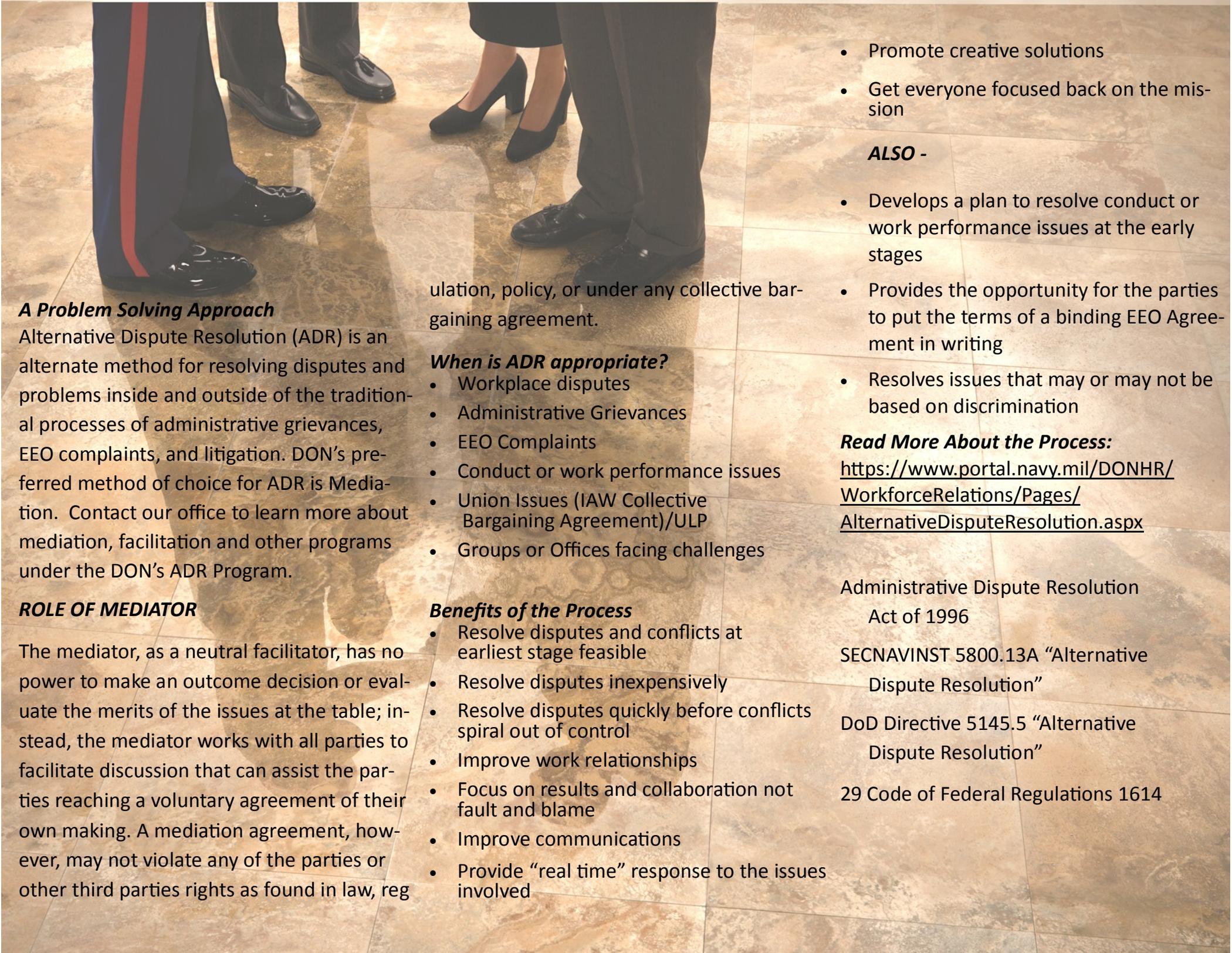
**Contact your local EEO Office to discuss using the ADR process.**

**You may also contact [marla.rankin@usmc.mil](mailto:marla.rankin@usmc.mil) to obtain additional information regarding ADR or to become a Mediator.**

**To learn more about Alternative Dispute Resolution in the Department of the Navy, please visit [www.adr.navy.mil](http://www.adr.navy.mil).**

# Alternative Dispute Resolution (ADR)





### **A Problem Solving Approach**

Alternative Dispute Resolution (ADR) is an alternate method for resolving disputes and problems inside and outside of the traditional processes of administrative grievances, EEO complaints, and litigation. DON's preferred method of choice for ADR is Mediation. Contact our office to learn more about mediation, facilitation and other programs under the DON's ADR Program.

### **ROLE OF MEDIATOR**

The mediator, as a neutral facilitator, has no power to make an outcome decision or evaluate the merits of the issues at the table; instead, the mediator works with all parties to facilitate discussion that can assist the parties reaching a voluntary agreement of their own making. A mediation agreement, however, may not violate any of the parties or other third parties rights as found in law, reg

ulation, policy, or under any collective bargaining agreement.

### **When is ADR appropriate?**

- Workplace disputes
- Administrative Grievances
- EEO Complaints
- Conduct or work performance issues
- Union Issues (IAW Collective Bargaining Agreement)/ULP
- Groups or Offices facing challenges

### **Benefits of the Process**

- Resolve disputes and conflicts at earliest stage feasible
- Resolve disputes inexpensively
- Resolve disputes quickly before conflicts spiral out of control
- Improve work relationships
- Focus on results and collaboration not fault and blame
- Improve communications
- Provide "real time" response to the issues involved

- Promote creative solutions
- Get everyone focused back on the mission

### **ALSO -**

- Develops a plan to resolve conduct or work performance issues at the early stages
- Provides the opportunity for the parties to put the terms of a binding EEO Agreement in writing
- Resolves issues that may or may not be based on discrimination

### **Read More About the Process:**

<https://www.portal.navy.mil/DONHR/WorkforceRelations/Pages/AlternativeDisputeResolution.aspx>

Administrative Dispute Resolution Act of 1996

SECNAVINST 5800.13A "Alternative Dispute Resolution"

DoD Directive 5145.5 "Alternative Dispute Resolution"

29 Code of Federal Regulations 1614