



Office of Equal Employment Opportunity (OEEEO)



Selecting ADR

There are several paths to Alternative Dispute Resolution (ADR) available to employees, applicants, and former employees. The information on this page provides insight about how ADR can be used to address disputes and conflicts in the workplace through:

- [Early Intervention \(EI\)](#)
- [Equal Employment Opportunity \(EEO\) Complaint](#)
- [Grievance \(Negotiated or Administrative\)](#)

Early Intervention

An employee may contact ADR directly and request services. This is referred to as an Early Intervention case. Electing ADR does not require an employee to first file a grievance or an EEO complaint. A Specialist will be assigned to schedule the requested service, most commonly mediation, as well as explain the specifics of the process and answer any questions.

EEO Complaint

Employees have the right to elect ADR, in this case mediation, during the EEO pre-complaint and formal complaint processes. An EEO counselor will discuss the option of mediation with employees in lieu of traditional counseling in the pre-complaint stage. When mediation is elected at the EEO pre-complaint stage, it extends the pre-complaint period from 30 to 90 calendar days. Mediation may also be elected at the formal complaint stage concurrently as the complaint is being processed.

If mediation is elected, then the EEO counselor assigned to the complaint will have the employee complete an ADR referral form. The EEO office will then send the form to ADR. A neutral, third-party mediator from the ADR program will be assigned to schedule mediation, explain the mediation process and answer questions. Mediation may be elected more than once during the EEO complaint process.

When resolution is reached in mediation, a settlement agreement is produced and signed, closing the EEO complaint permanently. If mediation does not resolve the complaint, then the employee retains full rights to continue in the EEO complaint process.

Grievance

Employees who file a Negotiated Grievance or an Administrative Grievance, also have the option to try to resolve their grievance by electing ADR (mediation). Employees should follow procedures for filing an Administrative Grievance by referring to information posted on the Human Resource Office (HRO) page for Administrative Grievances. Employees filing a Negotiated Grievance will need to refer to procedures outlined in their applicable Collective Bargaining Agreement (CBA). In a Negotiated Grievance, typically the union will contact ADR for the employee the union is representing.

General Information

In all types of the preceding cases, employees have the right to come to ADR alone or with a representative of their choosing, such as an outside attorney, union representative, friend, or family member. Employees may not come with a manager from CDC as this presents a conflict of interest. In mediation, Agency management will most often be represented by the

Management Officer of the respective Center, Institute and Office (CIO) involved in the case and possibly the Human Resource Office (Employee/Labor Relations). If an employee is represented by an attorney in mediation, then the Agency will request counsel participate, as well.

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