



Office of Equal Employment Opportunity (OEEEO)



Alternative Dispute Resolution



Please submit all EEO complaints and Inquiries to EEOSC.EEOinfo@hhs.gov.

Mission Statement

The mission of the Alternative Dispute Resolution (ADR) Team is to minimize disruption in the workplace; preserve business relationships; foster a respectful work environment; build trust; promote communication; and provide efficient, effective ADR services to CDC/ATSDR employees.

Alternative Dispute Resolution Guidance

A [Quick Reference Guide](#)  has been developed to provide guidance on what to expect when the Alternative Dispute Resolution process, an informal and confidential alternative to filing an EEO complaint, is requested.

CDC/ATSDR believes that people are valuable and should have the right tools to perform their jobs to the best of their abilities. ADR is one of those tools. The Office of Equal Employment Opportunity (OEEEO), through the ADR Program, offers an unbiased, neutral resource for all employees toward preventing and managing workplace conflicts. ADR deals with each situation individually and confidentially.

ADR is a confidential resource available to employees if you:

- Are not sure to whom to talk about concerns or issues in your workplace
- Want to discuss options for resolving workplace disputes at various levels (coworkers or management)
- Are looking for an informal, non-escalating approach to resolving conflicts

If you have questions, regarding the information below, send an e-mail to the [ADR Team](#).

Frequently Asked Questions

What is Alternative Dispute Resolution (ADR)?



ADR is a collection of processes, such as Mediation or Facilitated Discussion, elected by employees to resolve workplace conflicts or disputes informally and confidentially. These processes are called alternative because they are an alternative to other more formal processes, such as grievances and EEO complaints; however, ADR does not displace those traditional processes. ADR can be elected independently, referred to as Early Intervention, or in conjunction with the EEO or grievance process.

ADR is voluntary on the part of the employee that elects to utilize the service. Only employees may elect to use ADR. Management may suggest or recommend using mediation or other forms of ADR, but it is always up to the employee to decide. The employee should not feel pressured to elect ADR by anyone.

It is CDC's policy, that when an employee elects to use ADR, management is required to participate in good faith. Good faith is defined as coming to ADR prepared, willing to engage in dialogue, actively listening and working toward reaching mutually acceptable resolutions regarding issues or disputes raised by an employee. ADR empowers and enables the participating parties to have ownership and control over the outcome of the process.

A neutral third party, or mediator, helps participants in ADR to communicate, develop ideas, and reach a mutual agreement on issues or disputes. Mediators do not take sides, represent participants, provide advice, or decide outcomes. When an agreement is reached through ADR, the mediator is responsible for capturing the terms of the agreement in writing. A written and signed agreement reached in ADR becomes a contract between the employee and the agency.

ADR has experienced mediators available to provide the following services:

- Employee and management consultations
- Mediation/ Facilitated Discussion
- Training

What Are the Types of ADR?



Alternative Dispute Resolution (ADR) is a collection of processes used for the purpose of resolving conflicts or disputes informally and confidentially. The primary ADR process used at CDC is mediation, but there are several other types, including facilitated discussion, fact-finding, and conciliation, to list a few.

- **Mediation**

Mediation is the process of bringing two or more adverse parties together (usually an aggrieved employee and management) before a neutral third-party (a mediator), to discuss a resolution to the aggrieved employee's dispute. The mediator has no authority to decide the matter, but rather engages the parties in discussion to resolve the dispute for themselves. The goal of mediation is always for parties to reach a mutual resolution at the earliest point and lowest level possible. Mediation is a confidential and informal approach to resolve disputes that is used widely throughout the federal government.

Mediation is voluntary and must be initiated by an employee. Management may suggest or encourage use of the process, but not require it. Employees may come to mediation directly by contacting the ADR office. This use of the process is considered an Early Intervention case. Employees may also request mediation to resolve an EEO complaint or grievance they have filed. Once an employee has elected ADR, CDC's policy is for management to participate.

The benefits of mediation can include addressing disputes in a timely and efficient manner. Mediation has the added benefit of reaching a mutual resolution, not a directive or ruling from third another party. It may also improve communication and enhance working relationships.

Mediation is conducted through a platform for parties to meet face-to-face virtually through a service like Zoom or Teams. During a mediation, the mediator will thoroughly explain the process, highlight the confidentiality of the session, and allow each party to make opening remarks regarding their position on the dispute.

At some point, the mediator will separate the parties and meet with them privately (a caucus). It is an opportunity for each party to speak alone with the mediator, review the progress of the mediation, discuss aspects of the dispute that still need to be addressed, and clarify what they are seeking as relief to resolve their dispute.

Typically, an employee who initiated mediation will ask for something as reparation from management. Management can also ask for something as a concession from the employee toward reaching a mutual resolution. The mediator will continue to work with the parties, together or separately, to bring both sides closer to a mutually agreeable resolution.

If the parties can agree to terms, then a settlement agreement will be prepared in writing and signed by the parties. A signed agreement is considered a binding contract between the employee and the Agency. If no settlement is possible, then the mediator will declare an impasse. The parties will be advised of options, if any, if no settlement is reached.

- **Facilitated Discussion**

A Facilitated Discussion uses a neutral third-party facilitator to provide an environment for parties to communicate their concerns regarding a dispute with another party, most often a coworker of a similar grade or standing. A facilitated discussion supports employees to address difficult issues in a pro-active and respectful manner.

In a facilitated discussion, the facilitator assists the parties to prepare for and engage in a conversation around the issues that are causing conflict. A facilitator will assist each party individually to clearly identify the issues to be discussed, clarify specific examples of the dispute, and prepare to have a conversation with the other person about the identified dispute.

A facilitator will then assist the parties in a joint session to communicate their concerns in a respectful way, to try to be open to understanding the other person's perspective and identify ways that the conflict might be resolved.

- **Neutral Fact-finding**

Neutral Fact-finding involves the use of a neutral third-party who investigates/determines a disputed fact. This process is usually used for technical issues or in instances when significant factual issues are part of a larger dispute. Parties may negotiate to be bound or not bound by the fact-finding results.

- **Conciliation**

Conciliation is when the parties in dispute use a conciliator to resolve the conflict. The conciliator meets with the two parties separately to gain an understanding of their complaints and objectives. The conciliator then meets with both parties together to improve communication, lower tensions, interpret issues and provide potential solutions to effectively resolve the dispute. Conciliation serves to restore a workplace relationship. Furthermore, conciliation has no legal standing and the conciliator has no authority to make a final decision or award.

ADR: Early Intervention, with an EEO Complaint or a Grievance?



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**

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.

What about Representation?

In all types of ADR 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.

Who May Elect to Use ADR?

ADR services are available to most CDC employees, to include Commissioned Corps, applicants, and former employees. In most instances contractors will be referred to their contracting company. At present, ORISE Fellows may not use this program.

What about Confidentiality?

Confidentiality is an important principle that applies to all aspects of ADR services, from a telephonic consult to a mediation. ADR staff treats all information confidentially, affording the safety of knowing information will not be shared by staff. There are exceptions, such when a party has a need to know, or if someone in mediation poses a threat to themselves or others. If these exceptions occur and information needs to be shared beyond the boundaries of a confidential consult or mediation, parties will be made aware in advance.

While this same level of confidentiality is expected of all parties in ADR, it cannot be guaranteed. If you find there is an issue with confidentiality, please contact the ADR program so that we may address the matter.

How to Request ADR Services

Submit an ADR Engage Request

ADR Engage is a **confidential** online submission form to contact ADR. Complete the [form](#) and click the “Submit” button. Your inquiry will be routed to the ADR Team and someone will contact you.

Contacts			
Name	Title	Phone	Email

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Cindy Knoll, MSW	EEO Manager (ADR)	770-488-3218	gqg5@cdc.gov
Terrence Manning	Mediator	770-488-1084	tim7@cdc.gov
Terrence Porche	Mediator	770-488-3247	ugi5@cdc.gov

You may also contact members of the ADR Team for assistance by calling the ADR Hotline Line at (770) 488-3090 or sending an email to ADRcustomerservice@cdc.gov. You may also request ADR services by completing the webform at ADR Service Request.

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