



Federal Energy Regulatory Commission
Office of the Chairman

June 22, 2020

ALTERNATIVE DISPUTE RESOLUTION POLICY STATEMENT

The Equal Employment Opportunity Commission (EEOC) requires all agencies to establish an Alternate Dispute Resolution (ADR) program for employees in accordance with

29 CFR §1614.102(b) and EEOC Management Directive 715. The EEOC encourages agencies to use ADR as a valuable tool in resolving Equal Employment Opportunity (EEO) disputes at both the informal and formal stage of the EEO complaint process.

ADR includes a variety of alternatives to traditional administrative or judicial proceedings, such as arbitration, conciliation, facilitation, mediation, and mini trials. Mediation is the specific ADR technique that is familiar to most people, and it appears to work best to resolve EEO disputes by providing fast and cost-effective results, while at the same time improving workplace communication and morale. Accordingly, the Commission is now utilizing mediation as an option to resolve employment disputes.

Mediation is a voluntary process that gives the parties an opportunity to discuss issues raised in an informal or formal complaint, clear up misunderstandings, determine the real underlying interests or concerns, find areas of agreement, and ultimately incorporate those areas of agreement into resolutions. When ADR has been offered and selected to resolve concerns, managers and supervisors are required to participate in the process. The mediator, an impartial entity, does not define the issues in controversy or impose a decision on the parties, but helps the disputing parties to discover what their real interests are and to agree upon a mutually acceptable resolution.

Mediation can improve communication and foster cooperation. Honest, confidential, and face-to-face discussions about the underlying issues of disputes help lead to mutually satisfying resolutions that may enhance rather than destroy employee-employer relationships. Information disclosed during mediation will not be disclosed to anyone. In a trusting environment, the mediator may help the parties resolve not only specific disputes at hand, but also other issues that are important to them.

The ADR program is here to assist employees and managers in working together to resolve issues which arise in the workplace. For additional information, contact Madeline H. Lewis, EEO Advisor, at (202) 502-8120 or email madeline.lewis@ferc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil Chatterjee".

Neil Chatterjee
Chairman