



DEFENSE CONTRACT MANAGEMENT AGENCY

3901 A AVENUE, BUILDING 10500
FORT LEE, VA 23801-1809

December 20, 2021

DCMA-DPS 005

MEMORANDUM FOR ALL DCMA EMPLOYEES AND APPLICANTS

SUBJECT: Policy Statement on Alternative Dispute Resolution

I fully support the use of Alternative Dispute Resolution (ADR) to resolve workplace disputes at the lowest level. The Director, Equal Employment Opportunity (EEO) is designated as the responsible proponent for administration and oversight of the ADR program. The preferred method of ADR is mediation. Mediation offers disputing parties an opportunity to openly express their positions and interests in resolving disputes. The components of ADR include the reinforcement of Equal Employment Opportunity Commission's (EEOC) core principles of voluntariness, neutrality, confidentiality, and enforceability.

- *Voluntariness.* Participation in EEO ADR is voluntary. However, participation is mandatory for managers/supervisors once the aggrieved has elected ADR. The Director, EEO will decide on a case-by-case basis whether it is appropriate to offer ADR. If ADR is offered, the Directorate with settlement authority will determine who will participate in mediation and approve the agreed-upon resolution. However, the Responsible Management Official cannot be the Agency's Settlement Official. Participants are required to negotiate in good faith, regardless of merit, but are under no obligation to reach a settlement that is not satisfactory to all parties.
- *Neutrality.* To ensure neutrality, mediation will be conducted by a neutral third party. The EEO Office is responsible for ensuring that the assigned mediator is neither acquainted with, nor an employee from, the same unit as the aggrieved party or the management official with settlement authority.
- *Confidentiality.* As a means to promote open and frank discussion, all participants must agree in writing that any information disclosed during the EEO ADR process will remain confidential whether or not EEO ADR is successful.
- *Enforceability.* If resolution is achieved in the EEO ADR process, the terms of the resolution will be set forth in a written negotiated settlement agreement that is binding upon both parties.

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I encourage employees and management officials to participate in the EEO ADR process in order to resolve workplace disputes at the lowest possible level, eliminate complaints of discrimination, and improve productivity throughout DCMA. Any questions should be directed to the ADR Manager at (804) 609-4078 or debra.l.simmon.civ@mail.mil.

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LTG, USA
Director