October 1, 2021

MEMORANDUM FOR ALL BEP EMPLOYEES

FROM: Leonard R. Olijar
Director

SUBJECT: Alternative Dispute Resolution Policy

The Administrative Dispute Resolution Act of 1996 (ADRA) authorizes and encourages agencies to utilize mediation and other consensual methods of dispute resolution as alternatives to traditional complaint processes. Alternative Dispute Resolution (ADR) offers the parties the opportunity for an early and informal resolution of disputes in a mutually-satisfactory fashion. This process emphasizes open communication, cooperation, and flexibility in identifying mutual interests and potential solutions; and with good faith effort, helps rebuild trust between all parties involved.

I recognize the benefits of and fully endorse utilizing ADR for both Equal Employment Opportunity (EEO) complaints and other workplace conflicts. In the federal EEO process, the "parties" are the agency and the aggrieved, complainant, or employee therefore, it is BEP's policy for managers and supervisors to participate in the ADR when the employee elects to use it. I support the many flexibilities of ADR, including facilitation, mediation, fact-finding, coaching, shuttle diplomacy and neutral evaluation, where appropriate.

The effective use of ADR techniques has been linked to positive outcomes such as increased productivity, retention and engagement. Accordingly, I expect managers and supervisors to utilize ADR as a means to prevent or minimize the escalation of disputes and encourage all employees to avail with BEP's alternative solution to workplace issues; and encourage all of you to leverage ADR to maintain a positive, safe and inclusive environment to ensure we are all aligned as we work on accomplishing BEP's mission.

The Office of primary responsibility is the Office of Equal Opportunity and Diversity Management (OEODM). Final authority for granting access to the ADR process rests with OEODM. For additional information on ADR, employees may contact OEODM by phone: 202-874-3460, TTY: 202-874-4931 or email: OEODM @bep.gov.