IS IT CONFIDENTIAL?

NNSA will ensure that the ADR program maintains the highest level of confidentiality. This will include holding the contractor to the highest standards of integrity. Dispute resolution communications are confidential and may not be disclosed by the parties or by a neutral third party unless:

- All parties to the proceeding agree in writing.
- The communication has already been made public.
- The communication is required by statue to be made public.
- A court determines that such testimony or disclosure is necessary to judicial proceedings.
- The communication is prepared by the party seeking disclosure.
- The communication is relevant to determining the existence or meaning of an agreement/award that resulted from the dispute resolution proceeding or to the enforcement of such an agreement or award.
- The communication is provided to, or is available to, all parties to the dispute resolution proceeding.

Our Mediator

ADR services are contracted with GenQuest, Inc., which was founded in 1995. GenQuest provides training, business management, and administrative and technical support to government agencies, Federal contractors, and private businesses.

GenQuest designs customized services for each agency, contractor, or client , through its professional evaluation of client needs and the application of business solutions.

Local: 505-246-2829
Fax: 505-246-0193
Email: info@genquestinc.com
Website: www.genquestinc.com

More complete information on the ADR program is available at the NNSA Office of Civil Rights ADR website:
OCR Intranet - http://hq.na.gov/ocr
OCR Internet -http://nnsa.energy.gov/aboutus/ouroperations/managementandbudget/civrights.

For additional information, contact:

NNSA
Office of Civil Rights, NA-1.2
P.O. Box 5400
Albuquerque, N.M. 87185
Phone: (505) 845-5517
Toll Free: (800) 825-5256
(enter 845-5517 at voice prompt)
TTY: (866) 872-1011
Fax: (505) 845-4963

Equal Employment Opportunity: Collaborating For Mission Success

April 2013

National Nuclear Security Administration

Office of Civil Rights

ALTERNATIVE DISPUTE RESOLUTION (ADR)

Another Method for Resolving Disputes

ADR

ADR is a process where a trained, impartial third party helps two or more parties negotiate to resolve their workplace dispute. At NNSA, ADR is a voluntary, informal process for all parties to attempt to resolve workplace disputes.

HOW CAN ADR HELP?

Individuals who reach agreement through ADR retain control of the dispute's outcome, and the result is more likely to meet their needs than a decision imposed from the outside. ADR also gives individuals the opportunity to craft more creative solutions than might be available from an administrative law judge or other outside decision makers.

MEDIATOR'S ROLE

- Does not decide who is right or wrong, does not act as a judge, does not take sides, and does not place blame.
- Does not condone violence or threats as means for solving problems.
- Works equally with both parties.
- Is trained in the ADR process and various communication techniques.

WHEN TO USE ADR

- Multiple workplace issues have to be resolved.
- There is no need to establish precedent, and there is no single "right" solution that is required.
- Tensions, emotions, or transaction costs are running high.
- Communication between the parties has broken down.
- Time is a major factor.
- Failure to agree does not clearly benefit one or more parties.
- Issues are complex and individual parties have an interest in maintaining confidentiality with respect to key issues.
- The parties want or need to maintain an ongoing working relationship.

HOW TO GET STARTED

If an employee has an issue that they would like to have mediated, they may contact **GenQuest** at (505) 246-2829 using the following timeframes:

- If you are considering filing an EEO complaint, contact an EEO Counselor within 45 calendar days of the alleged incident or action. At the initial counseling session, elect either traditional EEO Counseling or ADR.
- If you are considering filing a grievance, you have 15 days to initiate the administrative grievance procedure from the date the event occurred. If you desire to use ADR for your grievance, you will simultaneously contact the Performance Management and Employee Relations Department at (505) 845-4850 and GenQuest. Note: The EEO and grievance process is held in abeyance during ADR, and the employee may return to either forum if unsuccessful.
- If the conflict is not EEO or grievance based, but still a workplace conflict, contact GenQuest at anytime to initiate the ADR process.