

## So, why should you mediate?

- ◆ You can always try other methods if you can't work it out through mediation — **you lose nothing by trying.**
- ◆ You **won't be forced** to do anything or agree to anything you can't accept.
- ◆ **You will be heard in a safe environment.** By using common courtesy you can say exactly what you need to say.
- ◆ **It is the mediator's job to keep things on track,** create a level playing field and make sure you are treated with respect.
- ◆ You will have a chance to find a solution **that works for all parties involved.**
- ◆ Mediations can usually be **scheduled quickly** and you can often resolve your dispute in a day.



## OTHER ADR SERVICES:

**Facilitated Problem Solving:** Experienced facilitators can help your group or team resolve the underlying problems that can lead to conflict.

**Consultations:** Address topics such as the pros and cons of mediation, hostile work environment, EEO complaints, EAP assistance, disciplinary actions, performance, verbal altercations, personality differences, reassignments and disabilities.

**Program Briefings:** To familiarize your organization with the NOAA ADR Program, briefings can be given and tailored to managers, employees or specialized groups.

**Or — let us help you design a program to suit your particular needs.**

### FOR MORE INFORMATION

Contact the following:

Workforce Management Office

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Or

Visit your ADR website

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U.S. Department of Commerce  
National Oceanic and  
Atmospheric Administration

## Alternative Dispute Resolution

Work Together To Bridge The Gap



Settle Your Differences With Respect

## **Questions and Answers**

### **About The NOAA ADR Program**

#### **What is “A Iternative Dispute Resolution” (ADR)?**

ADR refers to any number of methods for resolving disputes other than litigation. At NOAA, we use mediation to resolve disputes that may impede productivity or have a negative impact on the work environment. The ADR Program also offers facilitated problem solving for work groups or teams and can recommend conflict resolution training tailored to your needs.

#### **What is mediation?**

Mediation is a facilitated, interest-based, problem solving process. It is voluntary and the objective is to reach a settlement of the dispute that is acceptable to all parties. The mediators are neutral and impartial, and do not serve as judges of the facts, or as advocates for either side.

#### **How is mediation different from the traditional avenues of complaint or grievance resolution?**

Since mediation is voluntary, both sides must agree to mediate. In mediations, the disputants control the outcome. Mediation can usually be scheduled and completed quickly, at minimal costs. Travel and per diem for one mediator is the only cost to your office.

#### **Will I lose any of my rights when I go to mediation?**

Your rights either as an employee or as a manager are fully protected when you go to mediation. If you are able to reach a settlement, the settlement is fully enforceable. If you do not reach settlement, you return to the more formal processes at the point when you elected mediation.

#### **What can I expect when I go to mediation?**

You will be talking about your perceptions concerning what happened to bring you to mediation. During the mediation you will be exploring your own interest and issues and interests of the other side. Together, you will be seeking creative options that satisfy the interests of both sides and working toward a settlement that defines your future work relationship or actions in a mutually acceptable way.

#### **When can I request mediation?**

You can request mediation at any time, especially when you feel a work place difficulty is taking too much of your time and energy and your efforts to resolve it have not produced the results you wanted. You can request mediation without going through the EEO or grievance processes, or before or during either one of these forums.

#### **Who will mediate my case?**

The ADR Program staff carefully selects your mediators to ensure they are neutral, highly skilled and impartial. Your mediators will be from the NOAA Mediator Cadre or from another Federal agency. Normally, your mediators will not be from your line organization.

#### **Will mediation work every time?**

No—you and the other side may have interests that cannot be reconciled. However, your chances for reaching a settlement increase with your ability to understand your own interests, as well as the interests of the other side. Good settlements are made when each person helps develop creative options that meet the needs and interests of all parties.

#### **How confidential is mediation?**

All initial consultations are confidential. Once you have elected mediation the other disputants will be notified that you want to mediate. What goes on in the actual mediation is confidential. When you reached settlement, the agreement is reviewed by the Office of General Counsel, Workforce Management Office, and as appropriate, the Civil Rights Office. If your agreement requires action by agency officials, they will be consulted prior to the agreement being finalized.