



DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY RESERVE COMMAND
4710 KNOX STREET
FORT BRAGG, NC 28310-5010

SEP 25 2020

AFRC-EEO

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Commanding General Policy #20-08: Alternative Dispute Resolution in Equal Employment Opportunity

1. The strength of the Army Reserve is its people. We are committed to a model workplace where employees, supervisors, and leaders work together to accomplish our mission. When there is an Equal Employment Opportunity (EEO) complaint, the Army Reserve strongly encourages the use of Alternative Dispute Resolution (ADR), when appropriate, to facilitate resolution at the earliest possible opportunity.

2. ADR provides an alternative to the traditional EEO complaint process. Active participation in and effective use of ADR demonstrates management's commitment to equal employment opportunity for all employees. Participation in ADR and early resolution of EEO complaints fosters improved management-employee relations, minimizes workplace disruptions, avoids lengthy litigation, significantly reduces the costs and time associated EEO complaints, and is consistent with our Command's commitment to EEO.

3. Mediation is the preferred method of ADR used in Army Reserve. The goal of mediation is to assist the individuals in reaching a voluntary agreement that resolves the complaint. An employee's rights are not forfeited when they choose to participate in mediation.

4. ADR will be used whenever it is appropriate at any stage of the EEO complaint process. Once the complainant has been offered and elects to participate in ADR, a management official (the commander or his/her designee) with settlement authority is required to participate. The ADR process must be fair and conform to the following core principles:

a. Voluntary. Parties must enter into mediation or another offered ADR process knowingly and voluntarily. Participation in ADR is voluntary for the aggrieved. Supervisors and managers must be aware that they have a responsibility to cooperate in an ADR process once the decision is made to offer ADR to the aggrieved and it is accepted.

b. Neutral. The ADR mediator shall remain neutral and shall have no official, financial, or personal interest in the issue at controversy or in the outcome of the dispute.

ENCLOSURE 9

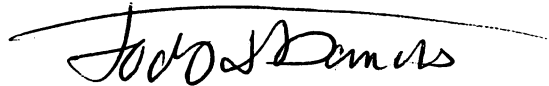
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c. Confidential. The ADR process is confidential. As a means to promote open and frank discussions between the disputing parties, both parties and their representatives must agree, in writing, any information disclosed during the ADR process, other than discoverable documentation, will remain confidential regardless of the success of ADR.

d. Enforceable. Each management official designated to represent the Army Reserve in the ADR process will have the authority to resolve the matter. If a resolution is achieved, the terms of the resolution will be set forth in a written, negotiated settlement agreement drafted by an agency legal representative, coordinated with the servicing Civilian Personnel Advisory Center and the Army Reserve EEO Office, and is binding upon both parties.

5. For assistance or questions about the EEO process or ADR, please contact the Army Reserve EEO Office at (608) 388-3106/3107, 1-888-838-4499 (toll free), 1-800-877-8339 (Federal Relay for the hearing impaired), or e-mail at usarmy.usarc.usarc-hq.mbx.eeo@mail.mil.



JODY J. DANIELS
Lieutenant General, U.S. Army
Commanding

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