



UNITED STATES GOVERNMENT
OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

Christopher J. Bavasi
Executive Director

Alternative Dispute Resolution Procedures

It is the policy of the Office of Navajo and Hopi Indian Relocation to use Alternative Dispute Resolution (ADR) in the informal and formal stages of the EEO process and also in the settlement of all appropriate workplace disputes. This will be consistent with ADR's core principles and the agency's goal of creating a fair work environment.

ADR During the EEO Process

As required by the Equal Employment Opportunity Commission (EEOC) regulations at 29 C.F.R., 1614.102(b)(2), the Office of Navajo and Hopi Indian Relocation's, Alternative Dispute Resolution (ADR) program is available to all of its employees, former employees, and applicants for employment who believe that they have suffered discrimination in the workplace because of their race, religion, color, sex (including pregnancy and gender identity), national origin, age, disability, family medical history, or genetic information or in retaliation for participating in the equal employment opportunity (EEO) process or for having opposed a practice that is illegal under the EEO statutes.

ADR Contact

ONHIR's EEO Discrimination Complaint Process and Alternative Dispute Resolution program is staffed under an agreement with office of Valerie Newcomb, LLC, Denver, Colorado.

ADR During Informal and Formal EEO Process

The ADR program uses mediation as its principal technique to accomplish "win-win" resolutions of potential and pending formal EEO complaints. During the pre-complaint stage of the EEO process, the complainant may choose between participating in the ADR program or the traditional EEO counseling activities. Once the complainant elects to participate in ADR, all EEO counseling activities will end. It is also important to note that electing ADR increased the EEO pre-complaint processing period from 30 to 90 days. In the event that the matter concludes without resolution after 90 days, the EEO counselor will conduct a final interview, and issue a Notice of Right to File a Formal Complaint to the complainant. If the complainant files a formal EEO complaint, the agency may also choose to offer ADR during the formal complaint stage. The 180 day processing period for the formal complaint stage may be increased by an additional 90 days in order to conduct ADR, if the parties agree to do so in writing. Nothing said or done during attempts to resolve the matter through ADR proceedings may be made the subject of the EEO complaint.

ADR to Prevent and Resolve Workplace Conflicts and Disputes

The Administrative Dispute Resolution Act (P.L. 101-552) encourages federal agencies to use mediation and other techniques to avoid and resolve disputes. The ONHIR's ADR program uses mediation for the early resolution of these conflicts. Employees are required to use the ADR process to resolve workplace conflicts at the earliest stage possible.

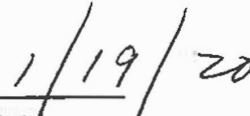
ADR Process

The process will begin when ONHIR requests a mediator. The Human Resources Office will contact the contractor to begin the ADR process. The contractor Valerie Newcomb (719-229-8122) will contact the parties to schedule a mediation session. If the parties are able to reach agreement, the agreement is reduced to writing, signed by both parties, and returned to the Office. Should such efforts fail to be successful, formal avenues may be used to address these concerns.

For more information on the ADR process, contact the ONHIR Human Resources Office.



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Date