DATE: September 2019

REPLY TO ATTN OF: CE-1

SUBJECT: 2020 Alternative Dispute Resolution (ADR)

TO: All BPA Employees

Communication is often at the root of issues identified as workplace conflicts. When properly managed, miscommunication and creative differences can yield positive improvements to business processes and the organizational climate. At BPA we strive to maintain a culture that does not reject differences nor suppress constructive dialogue. To remain effective, productive, and maintain civil discourse, it our policy to address and resolve workplace disputes quickly and at the lowest possible level through Alternative Dispute Resolution (ADR).

In 1990, the Administrative Dispute Resolution Act (ADRA) required each federal agency to adopt a policy on ADR use. In 1996, ADRA was reenacted as the Administrative Dispute Resolution Act of 1996. In 2000, the Equal Employment Opportunity Commission (EEOC) required all federal agencies to establish or make available an ADR program during the pre-complaint and formal complaint stages of the EEO process. The EEOC noted that resources should be in place to make ADR available independent of the equal employment opportunity (EEO) complaint process. It is a standalone process and its use is strongly encouraged.

ADR is a process in which a neutral third-party assists the individuals in dispute reach an amicable resolution through the use of various techniques. ADR describes a variety of approaches to resolve conflict which avoid the cost, delay, and unpredictability of the traditional adjudicatory processes while at the same time improving workplace communication and potentially, morale. The most widely used form of ADR in the federal government is mediation, which is a voluntary informal third-party facilitated conversation whereby parties in conflict discuss their issue with each other. Participating in ADR does not focus on who is right or wrong, but is an opportunity to educate and understand each other about our expectations and needs to successfully accomplish BPA’s mission and goals.

Although ADR is voluntary for aggrieved individuals or complainants, when EEO ADR is offered management is required to participate in ADR in good faith. A request to participate in the process should be viewed as an opportunity to communicate with the employee(s) it and can be mutually beneficial. Parties who participate in ADR are not required to reach an agreement. Neither this policy, nor the organization, requires participants to settle at all cost. You are only required to participate in good faith.

ADR can be arranged through the Office of Civil Rights and EEO by emailing equalemploymentopportunitymediation@bpa.gov or by calling BPA's Conflict Information & Referral Line for private and confidential information about BPA's ADR options at 503-230-5126.
While participation in ADR has no specific timeframes, you are encouraged to use the process at the earliest signs of counterproductive divergence and communication breakdowns. We all have a charge to work diligently at managing conflict in the workplace and create a culture of collaborative problem-solving, civil discourse, dignity and respect.

Elliot E. Mainzer
Administrator and Chief Executive Officer