

# ADR Efficiency (FY06)

- ADR

Average processing time = 33 days

- EEO

Average processing time = 301 days

# ADR Cost-Effectiveness (FY06)

- EEO

Approximately \$8,000 per complaint

- ADR

Less than \$300 per process

# Additional Benefits

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- Minimizes disruption to organizations

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- Minimizes disruption to organizations
- Preserves internal/external relationships
- Assures mutually-acceptable outcomes

# VA Directive 5978

## Alternative Dispute Resolution (ADR)

“It is the policy of VA to encourage its employees to use mediation to help resolve workplace conflicts...”

# Mediation

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- Resolve dispute quickly

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- Private setting

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- Neutral facilitator

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- Preserve/End relationship in least adversarial way

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- Neutral facilitator
- Preserve/End relationship in least adversarial way
- Retain control of outcome

# Mediation Benefits

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- Informally communicate thoughts and concerns

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- Identify/Clarify miscommunications and misunderstandings

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- Acknowledge differences of perspective and opinion
- Understand origins of dispute
- Share respective interests

# Mediation Benefits (cont.)

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- Address dissatisfaction and unmet expectations

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- Improve working conditions

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- Prevent future conflicts

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- Improve working conditions
- Prevent future conflicts
- Retain right to pursue other processes

# Mediation Process

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1. Preparation

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2. Introduction

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  - Make introductions

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  - Make introductions
  - Explain role of mediator

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  - Explain role of mediator
  - Remind parties of confidentiality

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2. Introduction
  - Make introductions
  - Explain role of mediator
  - Remind parties of confidentiality
  - Set up ground rules

# Mediation Process

1. Preparation
2. Introduction
  - Make introductions
  - Explain role of mediator
  - Remind parties of confidentiality
  - Set up group rules
3. Overview of the issues

# Mediation Process (cont.)

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## 4. Problem Solving

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4. Problem Solving
  - Build common interest

# Mediation Process (cont.)

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  - Narrow differences

# Mediation Process (cont.)

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- Build common interest
- Narrow differences
- Explore most promising options

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## 5. Agreement

# Mediation Process (cont.)

## 4. Problem Solving

- Build common interest
- Narrow differences
- Explore most promising options

## 5. Agreement

- Who is agreeing to what

# Mediation Process (cont.)

## 4. Problem Solving

- Build common interest
- Narrow differences
- Explore most promising options

## 5. Agreement

- Who is agreeing to what
- When agreed upon actions will take place

# Mediation Process (cont.)

## 4. Problem Solving

- Build common interest
- Narrow differences
- Explore most promising options

## 5. Agreement

- Who is agreeing to what
- When agreed-upon actions will take place
- How agreement will be carried out

# Facilitation

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- Develop processes for group interactions

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- Concern about how changes will be received

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- Difficulty communicating
- Discussion potentially emotional or unproductive
- Clear up matters
- Need another person present
- Concern about how changes will be received
- Developing ways to improve environment

Facilitation NOT Recommended

# Facilitation NOT Recommended

- To decide who is right and who is wrong

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- To decide who is right and who is wrong
- Issues causing the conflict involve allegations of waste, fraud, patient abuse, or criminal activity

# Facilitator's Role

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- Assist with flow of information

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- Assist with flow of information
- Remain impartial
- Assist in working through strained relationships, long-standing conflict, distrust, and emotional communications
- Hold information in confidence

# Facilitation vs. Mediation

Facilitation

Mediation

# Facilitation vs. Mediation

## Facilitation

- No formal steps or stages

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# Facilitation vs. Mediation

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- Goal of improving communication

## Mediation

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## Mediation

- Formal steps and stages

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## Mediation

- Formal steps and stages
- Structured process

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- Formal steps and stages
- Structured process
- Opportunity to bring closure

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- Face-to-face session

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## Mediation

- Formal steps and stages
- Structured process
- Opportunity to bring closure
- Face-to-face session
- Goal of reaching a mutually-acceptable outcome to a dispute

# ADR Coordinator

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- Assist in identifying who should participate

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- Schedule the session

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- Assist in identifying who should participate
- Determine if individuals are willing to mediate
- Obtain the facilitator or mediator
- Schedule the session
- See the process through to completion