



DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON STUTTGART
UNIT 30401
APO AE 09107-0401

IMSG-ZA

23. 12. 2019

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: USAG Stuttgart Command Policy Letter #4, Alternative Dispute Resolution (ADR)

1. REFERENCES:

- a. 29 Code of Federal Regulations, 1614.603, Voluntary Settlements Attempts.
- b. Equal Employment Opportunity Commission (EEOC) Management Directive (MD) 110.
- c. AR 690-600, Equal Employment Opportunity Discrimination Complaints.
- d. Equal Employment Opportunity Commission Management Directive 715.

2. APPLICABILITY: The ADR program is applicable to all organizations and units assigned to U.S. Army Garrison Stuttgart, U.S. European Command (EUCOM), U. S. Army Africa (ARFICOM), and other U. S. Army tenant units employing appropriated and non-appropriated U.S. civilian personnel.

3. PURPOSE: To provide guidance concerning United States Army Garrison Stuttgart's commitment in using alternative methods for resolving workplace disputes where appropriate and feasible.

4. POLICY:

a. USAG Stuttgart encourages and supports the use of ADR as a means to resolve equal employment opportunity (EEO) complaints in a timely and efficient manner. ADR is used to assist parties reach an amicable resolution, avoiding the cost, delay, and unpredictability of the traditional adjudicatory processes. ADR also enhances workplace communication, productivity and harmonious work relationships.

b. The preferred method of ADR throughout the U.S. Army is facilitated mediation with a certified mediator. Mediation is a voluntary and confidential process where a neutral third party (mediator) assists parties in resolving their dispute. USAG Stuttgart will implement and sustain a viable ADR program. The ADR program must be fair and conform to the following core principles.

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(1) Voluntariness: Parties must enter into mediation knowingly and voluntarily. Participation in ADR is voluntary for the aggrieved. Supervisors and managers must be aware they have an affirmative duty to cooperate in an ADR process once the decision is made to offer ADR and the employee accepts the offer.

(2) Neutrality: The ADR mediator must not have any official, financial, or personal interest in the disputed issue or in the outcome of the dispute.

(3) Enforceability: Each management official designated to represent the agency in the ADR process will have the authority to resolve the matter (settlement authority). If a resolution is achieved, the terms of the resolution will be set forth in a written settlement agreement that is binding for both parties.

c. Supervisors, managers, and employees have the responsibility to resolve general workplace disputes. ADR is not appropriate in every case. Managers or their designees in coordination with EEO, civilian personnel (if applicable), and legal staff must decide on a case-by-case basis whether or not to offer ADR to an aggrieved individual. Funding for all ADR related costs will be their responsibility of the organization where the complaint/dispute originated.

d. U. S. Army civilian personnel may submit a request for conflict resolution services to the EEO Office in an effort to resolve non-EEO work related issues when issues adversely affect an organization's mission accomplishment or morale. However, the EEO Manager will review non-EEO related issues and determine whether the claim is one that could be resolved through the ADR process.

e. Personnel within the USAG Stuttgart footprint are expected to create and maintain an environment in which everyone is treated professionally and with respect.

f. This policy will remain in effect until it is officially rescinded..

5. PROPONENT: The USAG Stuttgart Equal Employment Opportunity Manager, DSN 596-3652, commercial 09641-70596-3652 is the proponent for this Policy.


JASON W. CONDREY
COL, IN
Commanding

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USAG Stuttgart Directors and Office Chiefs