



DEPARTMENT OF THE ARMY
UNITED STATES ARMY JAPAN
UNIT 45005
APO AP 96343-5005

AMIM-JNG-EE

SEP 07 2021

COMMAND POLICY MEMORANDUM 21-12

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SUBJECT: Alternative Dispute Resolution (ADR) Program

1. I strongly encourage and support the use of the Alternative Dispute Resolution (ADR) program as a means to resolve Equal Employment Opportunity (EEO) complaints in a timely and efficient manner. ADR is used to assist parties in reaching an amicable resolution, avoiding the cost, delay, and unpredictability of the traditional adjudicatory processes. ADR also enhances workplace communication, productivity, and harmonious work relationships.

2. 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 participants in resolving their dispute. U.S. Army Japan leaders will implement and sustain a viable ADR program. The ADR program must be fair and conform to the following core principles:

a. **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.

b. **Neutrality.** The ADR mediator must not have any official, financial, or personal interest in the disputed issue or in the outcome of the dispute.

c. **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 negotiated settlement agreement that is binding for both parties.

3. Supervisors, managers, and employees have the responsibility to resolve general workplace disputes. ADR is not appropriate in every case. Managers, or their designee, 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 the responsibility of the organization where the complaint/dispute originated.

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4. Department of the 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 these 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.

5. This policy will be brought to the attention of all personnel and a copy of this memorandum will be posted on the EEO website and on all primary bulletin boards.

6. Your primary point of contact for this policy is the U.S. Army Garrison Japan, Equal Employment Opportunity Office. They can be reached at 263-7182/3792.



JB VOWELL
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Commanding

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