

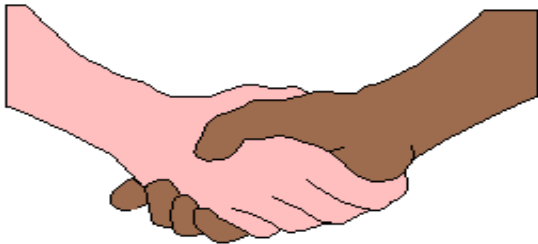
To read with JAWS for Windows program:

1. Check "normal" in View. (Alt v, then Enter to check normal if needed)
2. Maximize the screen. (Hold down ALT and space bar, then X; or hold down Alt and spacebar, then Dash)
3. Refresh screen. (Hold down insert and escape keys). Use insert and down arrow keys together twice if jaws stops before end of document

ALTERNATIVE DISPUTE RESOLUTION

(ADR)

*What is ADR,
and
How can it help you?*



Picture-handshake

WHAT IS ADR?

ADR is *Alternative Dispute Resolution*: alternative methods of resolving disputes rather than using litigation or formal administrative procedures.

ADR includes a variety of processes designed to help people resolve their own disputes in creative, productive, and non-adversarial ways.

Some common types of ADR are:

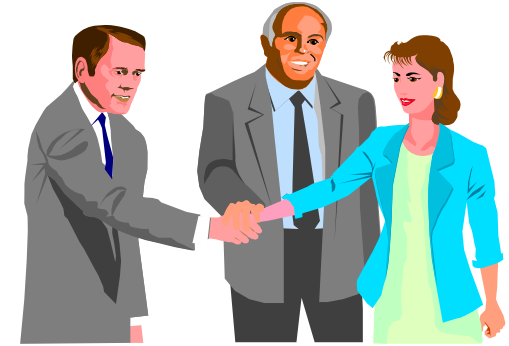
- ✓ informal discussions;
- ✓ coaching;
- ✓ mediation;
- ✓ conciliation;
- ✓ facilitation;
- ✓ arbitration; and
- ✓ early neutral evaluation.

These processes may be used separately or together, depending upon the situation.

WHAT CAN ADR DO FOR YOU?

ADR can help resolve interpersonal disputes between FEMA employees as well as complex, multi-stakeholder program disputes involving people and organizations outside FEMA.

By helping parties to identify their interests, communicate more effectively, and explore creative solutions, ADR often leads to durable outcomes that satisfy each party's interests. In the process, ADR can enhance, build, and rebuild workplace relationships.



Picture-mediator with people shaking hands

HOW IS ADR DIFFERENT?

Traditional forms of dispute resolution take too much time, can exacerbate issues, and can be expensive and unfair. Sometimes, even if a party wins, they remain dissatisfied.

ADR provides a means of bringing together the most concerned parties with an emphasis on listening and improving communication.

Compared to litigation, formal administrative processes, and other adversarial approaches, ADR is often:

- ✓ less time-consuming;
- ✓ less contentious; and
- ✓ less expensive.

ADR also helps people work out their issues together, rather than relying on a judge, an administrator, or someone else to formulate the outcome.

Additionally, ADR is completely voluntary (you can opt out at any time) and confidential (to the extent permitted by law), so it provides a relatively safe way of dealing with potentially difficult situations.

HOW DOES ADR WORK?

FEMA's ADR Specialist is available to assist you with discussing the issues in dispute, selecting the methods of resolution, and working with other parties to bring resolution quickly. Cases are received by referral or by petitioner request.

In most cases, if the parties agree that ADR is appropriate, they will sign a written agreement consenting to use ADR. This agreement will:

- ✓ Indicate that the parties agree to use ADR to resolve the claim;
- ✓ Identify the ADR process to be used;
- ✓ Designate an ADR neutral or a process for selecting one; and
- ✓ Provide a date by which ADR must be completed. If the ADR process is unsuccessful, the parties are free to reenter another process where they left off.

The parties will discuss with the ADR Specialist how the neutral will be paid. There are many no-cost options available through the ADR Office.

WILL I LOSE ANY RIGHTS BY TRYING ADR?

Generally, trying ADR does not prevent you from pursuing formal grievance or complaint avenues in cases where an agreement is not reached. However, those other avenues may have deadlines that are not affected by attempts to use ADR. Please contact the ADR Specialist for more information.

WHEN IS ADR NOT APPROPRIATE?

ADR may not be appropriate in all cases. It may not be appropriate where...

- A precedent is needed;
- Significant questions of Government policy are involved;
- Consistency in the implementation of the policy is essential;
- The matter significantly affects persons or groups who are not parties to the process;
- A full public record of the proceeding is important;
- The agency must maintain a high level of flexibility for an extended period.

Ultimate discretion as to whether ADR is appropriate for a given case rests with FEMA. The ADR Specialist is available to consult with you if you have any questions.

HOW CAN I FIND OUT MORE ABOUT ADR?

FEMA's ADR Specialist will answer any questions and help develop ADR solutions tailored to your situation. More information can also be found on our web site: <http://online.fema.net/adr>



Picture-FEMA logo

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