

**Department of  
Veterans Affairs**

# Memorandum

Date: **JAN 26 2007**  
From: Assistant Secretary for Human Resources and Administration (006)  
Subj: VA's Workplace Alternative Dispute Resolution Program (WebCIMS 368507)  
To: Under Secretaries, Assistant Secretaries, and Other Key Officials

1. In accordance with the Administrative Dispute Resolution Act of 1996, each Federal agency is required to designate a senior official as its Dispute Resolution Specialist (DRS), responsible for ensuring implementation of the provisions of the Act and the agency's Alternative Dispute Resolution (ADR) policy. Historically, the Chairman, Board of Contract Appeals (BCA) was designated as the DRS for the Department of Veterans Affairs (VA). However, with the consolidation of the BCA into the Civilian Board of Contract Appeals, VA's DRS function has been reassigned to the Assistant Secretary for Human Resources and Administration (HR&A).

2. Within HR&A, responsibility for Workplace ADR has been delegated to the Deputy Assistant Secretary (DAS) for Resolution Management.

3. VA Directive 5978, ADR, February 23, 2000, is currently being revised to reflect these changes in workplace ADR policy and responsibility. In the meantime, we ask that each VA organization modify its internal workplace ADR policies and procedures to reflect the Office of Resolution Management's (ORM) new role in overseeing and coordinating the Department's Workplace ADR Program.

4. We anticipate these changes will promote the use of ADR Department-wide, allow for coordinated evaluation of program effectiveness, and facilitate process improvement.

5. In order to achieve these goals, we ask VA organizations to support ADR in the following ways:

a. Recognize that conflict will arise as organizations grow and change and take steps to educate and train your employees and managers on the tools available to effectively manage conflict and prevent disputes. We recommend that all training and education programs for new and experienced supervisors include information on how to achieve a healthy work environment through open communication, valuing diversity of background and perspective, and facilitating problem-solving, to include use of the mediation process. To maximize access to ADR learning opportunities, ORM will also collaborate with VA Learning University (VALU) to integrate conflict management and dispute resolution into Department-wide learning initiatives that support VA's ability to create and maintain a high-performing workforce.

b. Encourage the use of ADR techniques, such as mediation, when disputes arise in the workplace to resolve the issue at the lowest organizational level and promote a positive working relationship. Advocate and widely market ADR processes throughout your organization to address workplace disputes. Ensure that all

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employees have viewed the "Mediation Zone Video" located at, <http://www.va.gov/orm/ADR.asp>, to gain a better understanding of the process and the benefits of mediation.

- c. Require managers to proactively support VA's Workplace ADR Program by both requesting mediation when disputes arise and participating in mediation when employees elect to use the process and the issue raised is appropriate for mediation.
- d. Foster collaborative labor-management relationships that promote understanding and encourage VA's Workplace ADR Program.

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e. Monitor ADR use within your organization and require your ADR Coordinators to collaborate with ORM in marketing, promoting, and measuring the utilization and effectiveness of the program; *i.e.* timeliness, savings, and satisfaction. When barriers are identified to the use and effectiveness of the program, encourage and support process improvements in coordination with ORM.

f. Require your ADR Coordinators to record information in a standardized fashion in Departmental ADR tracking systems and databases to enable the ADR program to be monitored and assessed on a regular basis, and in order to measure resource savings, timeliness, and user satisfaction.

g. Participate in intra-Departmental ADR groups in order to leverage ADR and mediator resources and share best practices.

6. To reward individuals and organizations who excel in using and promoting workplace ADR, the Department is also establishing an annual awards and recognition program.

7. Your endorsement of VA's Workplace ADR Program as well as your personal leadership in using mediation to address disputes is critical to ensuring a strong and effective program Department-wide. HR&A, specifically ORM, is your partner in this effort and will collaborate with you in achieving these goals.

8. We must always remember that our employees are our most valued resources. Without a healthy work environment, we can not accomplish our mission and serve our veterans and their beneficiaries effectively. Thank you for your continued support of this program.



R. Allen Pittman