

**PROCEDURES FOR PROCESSING REQUESTS  
FOR REASONABLE ACCOMMODATION**

**CHAPTER 4  
ALTERNATIVE DISPUTE RESOLUTION (ADR)**

I. USE OF ADR IN REASONABLE ACCOMMODATION DETERMINATIONS

A. Definition: Includes any procedure, which is used in lieu of a formal process or litigation to resolve conflicts and issues in controversy, including, but not limited to peer review, partnering, conciliation, facilitation, mediation, ombudsmanship, fact-finding, mini-trials, neutral evaluation, and arbitration or any combination thereof.

B. DON ADR Policy:

1. Mediation is the ADR method of choice for DON.

2. ADR techniques, i.e., mediation, shall be used as an alternative to litigation or formal administrative procedures to the maximum extent practicable. ADR is encouraged at the earliest stage for appropriate workplace cases and disputes. ADR is not limited to Equal Employment Opportunity (EEO) issues. ADR is appropriate for all kinds of workplace disputes, including but not limited to administrative and negotiated grievance procedures, unfair labor practices, matters covered under the Merit Systems Protection Board and the Office of Special Counsel. Every conflict and issue in controversy is a potential candidate for ADR.

C. Reasonable Accommodation Cases:

1. The use of ADR in reasonable accommodation cases is appropriate at any stage of the process to include:

- a. Interactive discussions,
- b. Determination of essential functions of a position,
- c. Job Search process,
- d. Requests for Reconsideration,

- e. Administrative Grievance,
- f. Negotiated Grievance, or,
- g. EEO discrimination complaint.

2. Activities are encouraged to consider the use of ADR during the reasonable accommodation process to resolve any conflicts and issues in controversy at the lowest possible level.

## II. ADR PROCEDURES

A. ADR Instructions: The use of ADR in reasonable accommodation cases will be in accordance with DON Civilian Human Resources Manual subchapter 773, Alternative Dispute Resolution, and SECNAVINST 5800.13, Alternative Dispute Resolution.

B. Initiating the ADR Process: The employee, supervisor and/or a member of the Advisory Team may initiate the ADR process by contacting the activity's ADR Convener.

C. ADR Process: ADR Conveners will process an ADR event for reasonable accommodation requests utilizing normal standard operating procedures.