

# Notice

N(30)000-332

March 1, 2000

Upon Incorporation

**Subject:** Alternative Dispute Resolution

**Cancel Date:** into the CCDM

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This document outlines new procedures for the Office of Chief Counsel's informal EEO complaint process.

1. Employees will have the option of utilizing current EEO procedures as outlined in 29 CFR 1614 or the new alternative dispute resolution (ADR) process. During the initial discussion between an aggrieved and a Counsel EEO Specialist, the specialist will inform the aggrieved of the options available to address the aggrieved's issues.
2. An aggrieved employee must notify a Counsel EEO Specialist within forty-five (45) days of the triggering event. The specialist will provide the employee with the EEO process options, i.e., the statutory process via 29 CFR 1614 or mediation as the ADR process. If the aggrieved chooses the ADR procedures, the informal process must be completed within ninety (90) days. The EEO specialist will contact the mediator who will then schedule the session(s) with the parties to attempt to resolve issues.
3. Mediation is a voluntary process. If an employee elects mediation but the manager does not want to participate, a counselor will be assigned to the employee. The management official participating in a mediation should have the authority to effect a resolution of the issues raised.
4. Mediators will make no recommendations to the parties and will not provide a written record of positions. Their responsibility will be to facilitate resolution of the dispute by the parties.
5. Mediation may not be an option in all cases. The EEO Officer will determine when mediation is not an appropriate option in specific cases.

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6. If mediation is successful, a Mediated Resolution Agreement will be completed and the case will be closed. The Mediated Resolution Agreement must be signed by the parties involved, an agency designated executive and the EEO officer.
7. If a resolution is not achieved during mediation, the EEO specialist will conduct a final interview with the aggrieved and provide a Notice of Right to File a Formal Complaint of Discrimination. The aggrieved may file a formal complaint of discrimination with the Department of Treasury Regional Complaint Center (RCC) within fifteen days of receipt of the Notice.
8. If a formal complaint is filed, it will fall under the procedures currently in use by the Treasury complaint centers, including the option of using a "settlement conference," as described in Treasury Document OEOP-0004-99.

\_\_\_\_\_/s/  
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