

ALTERNATE DISPUTE RESOLUTION (ADR) REPORT

REPORT CONTROL SYMBOL
DD-GC(A)2099

1. REPORTING PERIOD

2. REPORTING COMPONENT

Please adhere to the definitions on page 4, or in the alternative, provide your Component's definition in the Narrative section on Page 3.

3. DOES YOUR COMPONENT HANDLE EEO CASES? YES NO
*(If YES, attach a copy of the relevant EEOC Form 462.)
 (If copy is attached, only complete the EEO column below if numbers differ from the EEOC form.)*

4. DOES YOUR COMPONENT ENGAGE IN ENVIRONMENTAL COLLABORATION AND CONFLICT RESOLUTION (ECCR)? YES NO
(If YES, attach a copy of the relevant OMB-CEQ ECCR survey.)

5. PROVIDE A NUMERICAL COUNT OF THE ADR EVENTS HANDLED BY YOUR COMPONENT *(In accordance with the instructions and definitions on page 4)*

	(1) EEO <i>(If different from EEOC Form 462)</i>	(2) WORKPLACE <i>(Labor- Management)</i>	(3) WORKPLACE <i>(Other)</i>	(4) ACQUISITION	(5) CLAIMS	(6) OTHER <i>(Do not include ECCR or EEO reporting)</i>	(7) TOTAL NUMBER OF ADR EVENTS BY PROCESS
a. CONCILIATION							
b. MEDIATION							
c. EARLY NEUTRAL EVALUATION							
d. NON-BINDING ARBITRATION							
e. SETTLEMENT JUDGE/ CONFERENCE							
f. FACTFINDING							
g. REVIEW PANEL							
h. OTHER							
i. TOTAL NUMBER OF ADR EVENTS BY SUBJECT MATTER							
j. TOTAL NUMBER OF RESOLUTIONS REACHED BY ADR							
k. PERCENTAGE OF ADR CASES RESOLVED BY ADR							

6. PROVIDE A NUMERICAL COUNT OF THE ADR EVENTS HANDLED BY YOUR COMPONENT *(In accordance with the instructions and definitions on page 4)*

	(1) EEO <i>(If different from EEOC Form 462)</i>	(2) WORKPLACE <i>(Labor- Management)</i>	(3) WORKPLACE <i>(Other)</i>	(4) ACQUISITION	(5) CLAIMS	(6) OTHER <i>(Do not include ECCR or EEO reporting)</i>	(7) TOTAL NUMBER OF ADR EVENTS BY PROCESS
a. FACILITATION							
b. OMBUDSMAN							
c. PARTNERING							
d. BINDING ARBITRATION							
e. SUMMARY TRIAL WITH BINDING DECISION							

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- 7. BRIEFLY DESCRIBE HOW YOUR ADR PROGRAM IS CURRENTLY ORGANIZED AND ADMINISTERED.** *(Attach additional sheets as necessary.)*
Include NAME, title and POC information for your Component's Dispute Resolution Specialist, ADR Program Manager, and working points of contact.

- 8. LIST SPECIFIC ACTIONS TAKEN THIS REPORTING PERIOD TO ENCOURAGE THE CONSIDERATION AND/OR USE OF ADR AND/OR CONFLICT MANAGEMENT.** *(Attach additional sheets as necessary.)*
Include ADR Awareness Training, ADR skills training (mediation, facilitation, conflict management skills, other), organizational changes and how they related to encouraging increased consideration and/or use of ADR, other. Do not include personnel changes.
Include any intentional efforts to expand the use of ADR in specific subject matters, at specific stages of disputes, or using specific ADR methods.

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9. PARTICULAR ELEMENTS OF ADR OR CONFLICT MANAGEMENT SUCCESS DURING REPORTING PERIOD. *(Attach additional sheets as necessary.)*
 Describe notable successes in the use of ADR and key lessons learned as a result.
 Identify your program's experience with the benefits of ADR during the reporting period, such as notable instances of reduced conflict or increased workforce team engagement, shortened EEO or other dispute docket times, lowered litigation costs (including time, resources, discovery costs, etc.)

10. ADDITIONAL NARRATIVE. *(Attach additional sheets as necessary.)*
 Provide other information as appropriate, including any definition you applied to your reporting data that differs from that described above.

11. COMPONENT DISPUTE RESOLUTION SPECIALIST

a. NAME <i>(Last, First, Middle Initial)</i>	b. TITLE	c. TELEPHONE <i>(Include Area Code)</i>	d. EMAIL ADDRESS
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12. REPORT PREPARED BY *(If different than the Dispute Resolution Specialist)*

a. NAME <i>(Last, First, Middle Initial)</i>	b. TELEPHONE <i>(Include Area Code)</i>	c. SIGNATURE	b. TELEPHONE <i>(Include Area Code)</i>
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ALTERNATE DISPUTE RESOLUTION (ADR) REPORT

INSTRUCTIONS

This form shall be used by all DoD Components to report their ADR Activity as deemed necessary by the GC, DoD, but not more than once during each fiscal year. Each DoD Component (including Military Departments) may delegate reporting to the DoD Agencies or Field Activities under its authority, through their respective dispute resolution specialists, or may submit one collective report. If the Reporting Component provides ADR services for other Components, list the serviced organizations in the narrative. In Sections 5 and 6, report ADR events in the designated cells identifying the total number of each ADR process (a., b., etc.) that was attempted in resolution of disputes for each Subject Matter ((1) - (6)). If more than one process was employed in the attempted resolution of a given dispute, report each as a separate ADR event.

DEFINITIONS

Acquisition. Include ASBCA appeals, bid protests (agency and GAO), contract claims, and federal court cases.

ADR. Any procedure that is used as an alternative to litigation or formal administrative adjudicatory proceedings to resolve issues in controversy, including, but not limited to, facilitation, conciliation, partnering, mediation, fact finding, early neutral evaluation, mini-trials, arbitration, the use of Ombuds, or any combination thereof.

ADR Event. A meeting or series of meetings between the disputing parties, jointly or individually, and a neutral, or with input from a dispute resolution professional using one of the ADR methods to work towards resolution.

Arbitration. A formal adversarial hearing before a neutral, called the arbitrator, with a relaxed evidentiary standard. The arbitrator is usually a subject matter expert. An arbitrator or an arbitration panel serves as a "private judge" to render an informed decision based on the merits of the dispute. The use of arbitration should be reported either as "non-binding" (if the arbitrator decision is not binding upon the parties) or "binding," depending upon the process chosen.

Claims. Include federal tort claims, employee entitlements (e.g. travel claims), property damage claims, household goods loss and damage claims, medical-related and other claims against the Government.

Conciliation. A process in which a third party, called a conciliator, restores damaged relationships between disputing parties by bringing them together, clarifying perceptions, and pointing out misperceptions. This process often is used prior to other ADR processes, such as facilitation and mediation.

Conflict Management. A systemic process used to proactively identify and manage, at the earliest stage possible, conflict that can lead to one or more disputes, for the purpose of reducing the incidence of disputes and increasing the likelihood that any disputes that do arise may be resolved efficiently, effectively, and expeditiously. Techniques used in the process include, but are not limited to, early stage facilitated communications or use of interest based negotiation techniques, joint or collaborative problem solving, coaching, or design of an integrated conflict management system. The process may be used by Ombuds (in which case it should be identified at page 1) or other personnel (in which case it should be a part of the narratives discussed on page 3).

Early Neutral Evaluation. A process which involves informal presentation by the parties to a neutral with respected credentials for an oral or written evaluation of the parties' positions. The evaluation of the strengths and weaknesses of the parties' positions on a specific issue may be binding or non-binding.

EEO. Complete this column only if your ADR program numbers differ from those reported on the EEOC Form 462.

Facilitation. The use of a third party neutral to assist multi-party work groups in accomplishing their work by providing process leadership and process expertise, to assist the parties to move towards collaboration and consensus, generally before conflict has crystallized into a defined dispute for which the use of an ADR neutral has become necessary.

Factfinding. The use of an impartial expert (or group) selected by the parties, by the agency, or by an individual with the authority to appoint a fact finder, in order to determine what the "facts" are in a dispute.

Mediation. A process in which parties are assisted by a neutral, called a mediator, who assists in establishing negotiating procedures, identifying issues in conflict, and defining options for resolution. Mediators are not vested with any decision making authority and cannot impose resolution on the parties; the parties make the decision themselves.

Ombudsman (or Ombuds). The use of an organizational ombudsman to work with individuals and groups within the DoD Component, in a confidential and neutral/impartial manner, to explore and assist in determining options to help resolve conflicts, problematic issues or concerns, and to bring systematic concerns to the attention of the organization for resolution. While Ombuds work incorporates techniques such as factfinding, facilitation and other conflict management, Ombuds intervention should be identified as specific ADR events, and reported under the category "Ombuds" unless primarily addressed to a separate ADR action or event.

Other. Any subject category in which ADR was used, other than those listed on this form in items 5 (1) through (5) and 6 (1) through (5). Specify in the Narrative section other areas where ADR was used in your Component.

Partnering. A voluntary, organized process by which multiple stakeholders having shared interests act as a team with a shared vision and a joint plan for the successful completion of a project, generally in accordance with an existing or anticipated contract. Partnering involves defining objectives early in a project lifecycle, achieving mutually beneficial goals through collaborative problem solving and improved communication, a commitment to addressing potential issues early before they evolve into disputes, and the deliberate choice to resolve disputes in the most expeditious manner possible in order to improve project performance and preserve long term relationships.

Review Panel. A problem-solving process where a dispute is presented to a group or panel for a decision before it becomes a formal complaint.

Settlement Judge/Conference. A judicial ADR process in which a judge hears the positions of the parties and provides them with a non-binding evaluation. The judge may attempt to mediate the resolution of the dispute or simply evaluate the strengths and weaknesses of each of the parties' positions.

Summary Trial with Binding Decision. A judicial ADR process used by federal government Boards of Contract Appeals. In this process, the parties make a summary presentation to an administrative judge who renders a binding decision.

Total Number of ADR Events by Process. This number should be the sum of all numbers in the row.

Workplace (Labor-Management). Include grievances pursuant to a collective bargaining agreement (negotiated grievance procedure), unfair labor practices (ULPs), impasses, negotiability disputes and other undefined disputes addressed in a labor-management context.

Workplace (Other). Include grievances pursuant to an agency administrative grievance procedure, MSPB appeals, and other disputes between employees and management or between two or more employees.