



DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY

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AUG 01 2019

MEMORANDUM FOR DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY PERSONNEL

SUBJECT: Policy Memorandum 19-008, Alternative Dispute Resolution

POINT OF CONTACT: [Office of Diversity and Equal Opportunity \(DEO\)](#)

Throughout the Federal Government and the private sector, alternative dispute resolution (ADR) helps everyone deal with workplace dynamics and complaints in ways that both enhance productivity and improve the work-life environment. To that end, managers, supervisors, and employees should make every reasonable effort to resolve disputes at the earliest possible stage of a conflict and at the lowest possible organizational level. Any conflict or dispute, regardless of subject matter, is a potential candidate for ADR. ADR experts can provide information and help with potential workplace disputes before formal complaints arise. I encourage managers and supervisors to use this confidential process to intercept and resolve concerns before they develop into complaints.

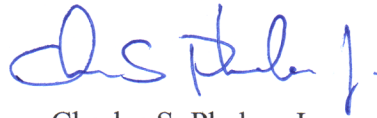
When workplace disputes develop into informal or formal complaints or grievances, and DCSA personnel request ADR, managers and supervisors will use ADR in a good-faith effort to resolve the disputes as an alternative to formal administrative processes and litigation. If you are a manager or supervisor and believe a dispute is not appropriate for ADR, please consult the Office of General Counsel (OGC) to seek an exception to this policy from the DCSA Executive Director or Deputy Director. ADR is available to address EEO complaints through the DEO Office; contract disputes through OGC; and complaints associated with personnel and human resources issues (e.g., grievances, appraisal reconsiderations) through the Human Capital Management Office (HCMO) Employee Relations team. The respective office (DEO, OGC, or HCMO) will provide ADR consultation and advice. OGC will provide legal review and legal advice to managers and supervisors about proposed agreements reached during the ADR process.

I expect participants to enter ADR in good faith with the intention of working toward a timely and successful outcome, and maintaining the integrity of the process. ADR offers various forms of individual and group assistance (group facilitation, organizational conflict assessments, coaching, mentoring, etc.), but the most common and effective form is transformational mediation. Mediation employs a neutral third party who helps the participants achieve a mutually agreeable resolution. The neutral third party has no stake in the substantive outcome of the process and has no authority to direct the outcome. Through full participation in mediation, disputes, and even the underlying cause for the dispute, can often be resolved; communications can be improved and workplace relationships can be strengthened.

Resolving complaints expeditiously through ADR contributes to our goal of maintaining an environment that fosters open communication and respect. Successful ADR saves time, avoids the expense of formal processes and litigation, and reduces the negative impact on morale

and productivity that often accompany workplace disputes. Not all complaints can be resolved through ADR, so individuals retain their rights to continue appropriate administrative proceedings, such as the agency grievance process or equal employment opportunity complaint process, if a resolution is not reached through ADR.

If you have questions or would like more information on this policy, please review DCSA Regulation 08-13, "Alternative Dispute Resolution." If your complaint relates to a matter covered by the agency's EEO complaint regulation, you may also contact the DEO Office at (571) 305-6737 or at dcsa.eeo@mail.mil. A copy of this policy will be posted on the intranet and all DCSA bulletin boards. This policy will be provided to new employees and contract personnel during on-boarding and to new supervisors within 30 business days of assumption of supervisory duties, and annually thereafter. This memorandum supersedes the March 18, 2019 Policy Memorandum 19-003, Alternative Dispute Resolution.



Charles S. Phalen, Jr.
Acting Director