

Symposium introduces methods for resolving conflict

Mediation focuses on problem solving, not on assessing blame

BATTLE CREEK, Mich. -- "The beauty of this process is that instead of breaking down relationships, it builds them up," said Reba Harrington, DRMS assistant counsel and coordinator of the Alternative Dispute Resolution (ADR) symposium. "In some instances, it's the first time the two parties fully understand what the conflict is about. Many times the dispute is based on miscommunication or misinformation." The Office of Counsel of the Defense Reutilization and Marketing Service (DRMS) hosted an ADR Symposium March 21 – 22, at the Heritage Dome Center in Battle Creek, Mich. ADR is a method for bringing together the parties involved in a dispute to help resolve the situation without the need for more formal proceedings. The Equal Employment Opportunity (EEO) Office hosted networking mixers at the end of both days of the conference. The resolution process has had many positive outcomes.

Program features federal expertise

More than 100 executives, managers and supervisors attended the ambitious program, which featured several knowledgeable ADR practitioners from the federal, state and private sector. Among the presenters were: Beth Lagana, Defense Logistics Agency ADR Counsel; Carolyn Perry, Defense Contract Management Agency; Elizabeth Grant, Defense Logistics Agency senior acquisition attorney; Calvin Marshall, Veterans Administration; retired Air Force Brig. Gen. Frank Anderson, Defense Acquisition University president; and Air Force Col. Cheryl Nilsson, Directorate Contract Dispute Resolutions.

The symposium increased understanding of the ADR process and offered well-tested dispute resolution techniques that can enhance workplace operations. Topics included the requirements, benefits and limitations of the ADR process. Presenters also discussed the policies involved in this type of dispute resolution, how to incorporate it in both the workplace and the contracting process, and some of the do's and don'ts of this method. In addition, a mock mediation took place, showing participants how the process works.

"Our philosophy is 'early detection is early correction.' We try to resolve issues at the earliest opportunity," Harrington said. Managers who allow conflicts to fester will likely have to call in lawyers. Using ADR, managers can effectively "deconflict" the situation by taking charge of the dispute.

ADR does not assess blame

Unlike a lawsuit, where a third party decides the outcome, the ADR process uses a mediator that has been selected by both parties. With the assistance of the mediator, both parties work together to resolve the conflict.

"ADR has been very successful. We have been focusing our efforts on mediation the last 12 to 15 months and had excellent results," Harrington said. "We've also successfully resolved 12 personnel issues. Previously, each of these disputes most likely would have

ended up in litigation - costing money, time and resources." In addition, each of the last four contract disputes was resolved using mediation according to Mike Malone, DRMS chief counsel.

Win-win situation

Using mediation as an alternative to lawsuits also saves money, time and resources as well as provides a win-win situation for the parties involved. "ADR encourages both parties to work together to reach a resolution. It avoids costly, adversarial, complicated procedures such as lawsuits or grievances," Malone said.

ADR is a fairly new field of practice that has rapidly developed into a profession. A law degree is not required to become a mediator. Currently, an ADR Working Group established by the Office of Counsel exists within the Battle Creek Federal Center. The group consists of mediators and representatives from legal, contracting, personnel, EEO, the Defense Logistics and Information Service offices and the American Federation of Government Employees Local 1626.

VA Center shares its mediators

The Veterans Affairs (VA) Medical Center also uses ADR and has employees trained as mediators. Both the VA Medical Center and the Federal Center participate in the Shared Neutrals program. Through the program, employees can select mediators from either the Federal Center or the VA Medical Center. In some instances, disputing parties prefer to have a mediator who is not on site because of already existing relationships. The Shared Neutrals program strengthens ADR by offering the most objective mediators possible. For more information, contact pubaff@drms.dla.mil or call the Public Affairs Office at (269) 961-7015. (Note new area code)

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