

ADR Program Specialists 1

Resolution Support Center 2

Ask the Mediator 3

Quarterly Quote

ADR Program Review 4

ADR Staff in Florida Relocate

Upcoming Trainings 5

ADR Contact Information 6



Tina Dean - Editor

ADR Newsletter



VOLUME 4, ISSUE 2



SUMMER 2011

ADR Program Specialists: T-21 Initiative

VA Secretary Eric Shinseki implemented a series of initiatives designed to change how the VA

operates. Introducing these changes he stated that "To serve Veterans in the 21st Century requires a bold investment today for a transformed VA tomorrow."

In December 2009, the Office of Resolution Management (ORM). Workplace ADR Office announced openings for Program Specialist positions in Alternative Dispute Resolution (ADR) for sites around the country.

Locations of these positions included: Topeka, KS; Chicago (Hines), IL; Houston, TX; Bay Pines, FL; Minneapolis, MN; and Pittsburgh, PA. These positions were created as part of Secretary Shinseki's 21 Transformation Initiatives for the VA. The positions were placed in Veterans Integrated Service Networks (VISNs) that were doing well with ADR or had challenges with ADR. The goal in creating these positions was to

improve opportunities for ADR within the VA, including providing training, mediation and other ADR services.

The first Specialist, Tina Dean, started in April, 2010 in VISN 15, followed shortly thereafter by the Specialist's in VISN 16 (Kim Milstead), VISN 12 (Lelar Taylor) and VISN 8 (Christa Metzger). Later in 2010 Annamarie Wilkins joined the group based in VISN 23 and Judy Tobe in VISN 4. These ADR Program Specialists make up the Field ADR Specialists in the Workplace ADR Office under the supervision of VA's ADR Director, Tracey Therit.

What do the ADR Program Specialists do? The answer to some extent depends on the needs of each VISN as each Specialist's role has developed over time. ADR Training is one part of the role, including ADR Awareness, mediation training and the new Conflict Coaching training that ORM has recently started offering. Mediating and Facilitating workplace disputes and EEO cases at VA facilities is

another responsibility. Some Specialists coordinate ADR sessions while others track ADR activity within the VISN to ensure timely offering of ADR services. Another new service they provide is the recently developed ADR Program Review (see page 4).

Stay tuned for more details about new services the Workplace ADR Office is developing to support the Secretary's goal to transform the VA.

For additional information visit the Workplace ADR Program website at <http://www.va.gov/adr>.

SOLUTIONS ARE JUST A PHONE CALL AWAY: THE RESOLUTION SUPPORT CENTER (RSC)

By Hortense Dunlap

In order to assist in transforming the VA into the 21st Century, the RSC's call center has gone live! The RSC is a venue to help transform the VA into the 21st Century as a part of VA Secretary Shinseki's 21 Transformation Initiatives (T-21). VA customers, its managers, supervisors and employees are increasingly sophisticated and demanding in their expectations of the VA's ability to provide higher levels of responsiveness, dependability and convenience. The RSC call center is at the forefront, serving as the face to the organization, performing a vital interface between the agency and its customers. All VA staff members may use the RSC. *

In response to stated VA customer needs, the Office of Resolution Management (ORM) recently implemented the RSC. The RSC is a hotline that provides callers with a forum to ask general questions, obtain information on a variety of subjects ranging from VA policies to training opportunities, including questions related to the VA's T-21 Initiatives. The RSC provides information that is designed to assist callers navigate through matters that often lead to work place disputes, conflicts, misunderstandings and EEO complaints. The RSC hotline is also a mechanism for callers to confidentially articulate concerns, seek options and to open lines of communication in often uncomfortable or problematic work place situations, while implementing the greater mission and goals of the agency.

Call centers traditionally merely receive customer inquiries, however, the RSC while delivering services via telephone, provides much more. RSC staff members listen to the callers, respond to inquiries or concerns through the sharing of information, offer solutions and options, and refer calls as needed to more appropriate sources and venues, both internally and externally. The RSC is staffed by experienced Program Specialists knowledgeable of the EEO complaint process, human resources management and VA policies and procedures, mediation and other alternative dispute resolution options. A natural byproduct of the calls serves as training opportunities and educating callers on various topics and policies, while raising cultural awareness. The calls are interactive, engaging and empowering in that the objective at the conclusion of the call is to provide callers with self-help options through the sharing of information, equipping callers with informational tools to manage work place disputes more effectively, rather than looking to a third-party to resolve issues.

Since, the RSC provides timely and high quality resource and referral support in response to a variety of work place issues and inquiries; a single contact call could result in more efficient responses to callers' inquiries, resulting in fewer follow-up calls, and resulting in cost savings in terms of time and resources. Also, through one phone call, efficiency potentially can result in terms of customer satisfaction through receiving valuable information, faster. The RSC is an empowering experience, offering options and solutions while promoting customer satisfaction.

Call the RSC today at 1-888-56 NEW VA (1-888-566-3982)

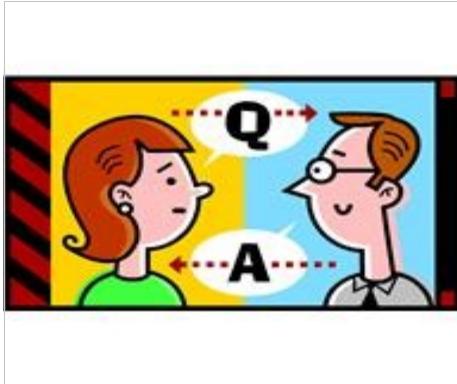
*Supervisors and AFGE bargaining unit and non-bargaining unit employees can utilize RSC services currently.

With the recent retirements of many long-time EEO Managers the designated facility ADR Coordinator has changed at many sites. The VA ADR intranet web site contains a list of ADR Coordinators for each VA facility which can be found at- [http://vaww1.va.gov/adr/docs/
ADR_Coordinators_List.pdf](http://vaww1.va.gov/adr/docs/ADR_Coordinators_List.pdf)

To update any changes at your facility please e-mail wallys.martinez@va.gov with changes that need to be made.



Ask the Mediator-



Question:

What advice, if any, should a mediator give an agency manager who makes comments during the mediation indicating the Agency has discriminated?

Answer:

None. Mediators should not lose their impartiality during a mediation session by moving from the role of Neutral to an advocate or protector of either party.

Mediators may, when appropriate, serve as a reality check for participants. This may include reflecting a party's statement back through questioning during caucus or in general session. For example inquiring how the manager's statements affect the other party, asking what point the manager is trying to communicate through the statement, and exploring with the manager alternative ways of expressing the statement that might be more effective. The reality check may allow a party to better understand the pros or cons of their comments.

Ground rules may be another avenue for the mediator to address specific statements. If the parties have in place ground rules about offensive words and shouting, a manager who loudly makes a prejudicial comment may have violated the ground rules. The mediator would manage the process by revisiting the ground rules and seeking enforcement.

Question: I am mediating a complaint where a Senior Executive Service (SES) employee (Facility Director) is unhappy with his overall rating on the Performance Evaluation. If an agreement is reached who has the authority to approve a change?

Answer:

A May 13, 2011 letter issued by the VA's Chief of Staff John Gingrich reminds staff that only the Secretary of Veterans Affairs has authority to approve and modify performance appraisal ratings for SES and SES equivalents. The only exception to this is authority granted to the Inspector General (IG) for SES staff in that office. No settlement agreements regarding a SES performance appraisal can be entered into by a management official without the approval of the Secretary or the IG.

Question: Can an employee who has been terminated be represented in an EEO Mediation by a representative from the Union that covered his former position?

Answer: Yes. If the Union covers the position that the employee held prior to termination. Article 6 of the New AFGE Master Agreement states that once an employee elects ADR "the Union has a right to participate in the process." NAGE's contract states in Article 43 that the Union "will have a right to participate in all stages of the ADR process." This right is in addition to the employee's right to representation.

Quarterly Quote:

~First keep the peace within yourself, then you can also bring peace to others.

Thomas A. Kemps



ADR Program Reviews

Annamarie Wilkins, ADR Program Specialist based in VISN 23 recently completed a Standard Operating Procedure for conducting a review of Alternative Dispute Resolution (ADR) Programs. What is an ADR Program Review? It is an opportunity for facilities to have someone from the Office of Resolution Management's (ORM) Workplace ADR Program review documents and data, interview staff and provide a report about the strengths and weaknesses of an ADR Program. Under the Administrative Dispute Resolution Act (ADRA), federal agencies are responsible for promoting the use of ADR as a timely, cost effective and more satisfying alternative to administrative processes and litigation. Within VA, ORM is responsible for workplace ADR program policy and oversight.

ADR statistics for each VA facility are tracked thru a "Scorecard" that



rates the following items by facility-

- 1) ADR is offered in 80% of all EEO Complaints.
- 2) Achieve an ADR Participation rate of 48% in Informal EEO Complaints.
- 3) Resolve 55% of EEO Counselor contacts.
- 4) Process EEO ADR Complaints within 60 calendar days of Initial Contact.
- 5) Resolve 50% of all Workplace Disputes through ADR.
- 6) Achieve an ADR participant satisfaction rate of at least 4.0.

Reviewing this data, available to the EEO and ADR Managers, may signal a need for an ADR Program Review.

An ADR Program Review request can be initiated by contacting the VA's ADR Director, Tracey Therit or a Workplace ADR staff member. The review consists of a pre-assessment, gathering of data and information and a site visit which result in a report for the facility about their ADR Program. During the site visit the ADR Coordinator, facility leadership, mediators, Union officials and others are interviewed about the ADR Program. The reviewer also tours the facility to see how ADR is being marketed. The document review includes reviewing the ADR Policy, intranet site and ADR marketing materials. Data related to ADR activities at the facility is also reviewed.

With all of this information a report is generated and provided to the Director and ADR Program Manager. The report will provide recommendations to enhance the ADR program. An ADR Program Review can be beneficial to any ADR program.

ADR Staff in Florida Relocate!



May 9, 2011-ORM ADR Specialist Christa Metzger and VISN 8 ADR Manager Dale Lefridge have relocated from the Bay Pines VA Campus to the new VISN 8 headquarters located in the Franklin Templeton Building. Both have new phone numbers-

Christa Metzger-(727) 575-8051

Dale Lefridge-(727) 575-8044

Share your ADR events. Send articles and pictures to Christina.Dean@va.gov, the Acting Newsletter Editor.

Upcoming Trainings

Advanced Mediation Skills Training-Ft. Wayne VAMC
(July 11-13) POC –David Groves

Basic Mediation Skills Training –VISN 23
(July 11-15) POC-Petra Hartness

Conflict Coaching Training VAMC Iron Mtn., MI
(July 18-22) POC– Mary Ann Gibler

Basic Mediation Skills Training VISN 3, New York,, NY
(July 25-29) POC– Francine Fraser

Federal Dispute Resolution Conf. –Palm Desert, CA
(August 8-11)

John H. Jones, ADR Specialist/Trainer,
John.Jones1@va.gov, (910) 273-5338

Karen Civitate, ADR Specialist/Trainer,
Karen.Civitate@va.gov, (310) 629-4727

ADVANCE is an exciting new direction for the Department, for Veteran's services and for your career. ADVANCE is an unprecedented, long-term investment in the professional and personal growth of each and every VA employee nationwide. It will provide you and other VA employees, the tools, training and support necessary to advance your career and improve services to Veterans and their families.



2011 Trainings



Mediation Refresher Training
Salt Lake and Northern California-June, 2011



Advanced Mediation Class
Des Moines, IA June, 2011



Workplace ADR Program

Department of Veterans Affairs

810 Vermont Avenue, NW (08)
Washington, DC 20420

Phone: 202-461-0280
Fax: 202-461-4145
E-mail: WorkplaceADR@va.gov

Mediation: A Solution to Workplace Disputes

The Workplace ADR Program solicits articles for VA's quarterly ADR newsletter. The purposes of the newsletter are to communicate information relating to the use of ADR in workplace disputes, and to serve as a resource for those interested in learning more about ADR and its application within VA. We invite you to submit ideas and articles for the newsletter through your respective administrations: VHA to Sherron McHellon (10A2E), VBA to Johnny Logan (20M42), NCA to Nicole Maldon (40A), VACO staff offices to your VACO ADR Liaison, and labor organizations to your ADR Council Representative. We are looking for ideas and articles on ADR-related topics, noteworthy activities, initiatives, accomplishments, best practices, or other items designed to educate and inform VA employees and managers on ADR and its benefits in addressing workplace disputes. We hope the ADR community will find the newsletters a useful resource for obtaining interesting and helpful information representing ADR activity throughout VA. For more information, visit our website.

New Phone Numbers in Washington, DC: The phone numbers in the DC Offices recently changed. Effective April 7 all phone numbers with a 501 or 273 extension changed to 461. Old numbers will continue to work for the remainder of the fiscal year. All publications/materials/brochures are in the process of being updated and will have the new phone numbers in the updated editions.



**Michael E. DeBakey VA Medical Center
Basic Mediation Training**

May, 2011