



The U.S. Department of Homeland Security (DHS) is firmly committed to effectively and efficiently resolving equal employment opportunity (EEO) complaints through alternative dispute resolution (ADR) methods for its civilian employees. As a model employer, DHS recognizes that early resolution of EEO complaints through ADR provides faster, less expensive, and longer-lasting results than litigation.

The DHS Headquarters EEO Office ADR Program helps individuals resolve workplace disputes and provides an alternative to the traditional EEO complaint process. The DHS Headquarters EEO Office uses mediation to assist individuals in resolving workplace disputes.

What is Mediation?

Mediation is a process that helps individuals resolve disputes and provides an alternative to the traditional EEO complaint process. Mediation is a conversation between the aggrieved employee and a management official with settlement authority, focused on finding a resolution to the issue(s) presented. Mediation is a problem-solving process.

- An aggrieved employee's election of mediation to address a workplace issue(s) is **VOLUNTARY**. Individuals who seek EEO counseling or have filed a formal EEO complaint can request mediation. Pursuant to Management Directive 065-04, managers and supervisors are required to participate in mediation when an employee makes the request.
- The mediation process is facilitated by a **NEUTRAL**, called a mediator. The mediator will help the parties in dispute have a resolution-focused conversation. Mediation is facilitated by a highly-trained, qualified collateral-duty mediator. The mediator remains neutral while encouraging the parties to be open and candid about their point of view. Mediators are also impartial as they do not have an interest in the outcome or a preconceived bias about how the conflict should be resolved.

- Mediation is **CONFIDENTIAL**. With limited exceptions, everything that is said and done in mediation stays in mediation. The promise of confidentiality allows the parties to have an honest and candid conversation about the issue(s) presented without the fear that statements made during mediation could be used against them later in the complaint process.
- If, or when, the parties reach a mutually agreeable resolution in mediation, that resolution becomes **ENFORCEABLE**. The commitments made in mediation are outlined in a written settlement agreement which, once signed by all parties, becomes a legally binding document.

Who Can Request Mediation?

- Current employees, former employees, and applicants for employment who have initiated the EEO complaint process can request mediation.