

Individual Complaint

Employee and/or applicants seeking to file a complaint of discrimination should contact an EEO Specialist at **760-725-3845** or **760-725-9810**.

Mediation FAQs

Why Mediation?

Disputes often arise out of communication problems or sheer complexity. The traditional grievance and complaint models sometimes exacerbate disputes, unnecessarily solidify positions, and can result in protracted and costly litigation. Mediation is a process in which a trained neutral third party assists in resolving a dispute, or at least narrowing and clarifying issues, in a manner that is acceptable to both sides. Mediation is different from traditional litigation in that it is informal, the rules of evidence do not apply, testimony is not taken, and the mediator does not decide the dispute. It is also different from traditional negotiations in that a third party facilitates the discussions, sometimes with both disputants together and sometimes with each side privately.

The mediator, in effect, creates a new forum where the disputants can candidly discuss their

cases. The mediator will not reveal anything from private discussions which one side does not want revealed to the other. Thus, the mediator often will have more information and a more complete picture of the problem, than either party alone. By virtue of this unique position, the mediator can often find options for agreement which were not evident before. Also, the mediator can assess the strengths and weaknesses of each party's case and help create realistic expectations.

What is the Value of Mediation?

Mediation allows the disputants to control their dispute and resolve the problems themselves, rather than having a judge or some other official decide it for them. Mediation is also fast and economical when contrasted to adversarial process costs. Even if the disputants do not resolve the dispute, mediation frequently will simplify the issues and enhance communications so that litigation proceeds more rapidly and is more focused as a result of having attempted mediation.

What Happens in a Mediation Meeting?

What occurs during mediation is strictly confidential. The mediator does not keep any permanent record of the meeting and will not disclose any information you provide during the mediation. Before your session begins, the mediator will explain the mediation process to

you. Included in the explanation is a reminder that the mediation is a voluntary process. You will be asked to sign a statement, which affirms understanding of this, and that the comments made during mediation are considered confidential. The mediator will also describe the role of the mediator, the role of the parties, and the process the mediator will follow. If resolution is achieved, it will be put into a written form and signed by the participants. In some instances in which the parties do not agree to a settlement, you may be able to agree to a finer focus of what the real problems are in the dispute and would reduce this to a written agreement.

Remember: This is a valuable and important opportunity for you. Don't hesitate to ask questions or raise any concerns you have either openly or privately with the mediator.

Facilitation FAQs

How Do I Obtain a Facilitator?

Trained facilitators will be available for DON meetings. Their services (consistent with applicable collective bargaining obligations) can be obtained by contacting the ADR coordinator at **760-725-3845**.

What is the DON Alternative Dispute Resolution (ADR) Program?

The Facilitation Program is one part of the DON's Workplace ADR program. The DON actively engages in finding methods to ensure an efficient effective workforce. This includes mediation on grievances, EEO and workplace issues. Facilitation is another method to meet this goal. Facilitated meetings can improve ways of completing our mission.

What is the DON Facilitation Program?

The DON facilitators will provide facilitation services in large and small meetings covering a wide range of topics involving Navy civilian employees. This program attracts a diverse group of participants from all areas of Navy and Marine Corps life. The DON trained facilitators' experience include public speaking, active listening, managing meetings, dealing with conflict, and the ability to act in a neutral, ethical, and impartial manner.

Why Facilitation?

Supporting the mission of the DON requires personnel to work together as part of an effective, high performance organization. Facilitation is a collaborative process used to help a group of individuals with divergent views to reach a goal or

complete a task to the mutual satisfaction of all. A facilitator keeps the meeting on track, makes sure people get a chance to speak, and in an orderly manner enforces any established ground rules, and stimulates discussion by asking questions. They are neutrals that focus on process, and do not make substantive contributions to the meeting. In rare instances where contentious matters may arise, before they escalate, the facilitators will help meeting participants address these issues.