Reasons to Use Mediation:

- It's fast, saving months – or even years – over the formal EEO process.
- It's informal, and doesn't require a legal representative.
- It's confidential.
- It reduces stress, and leads to greater job satisfaction.
- It helps the parties to reach their own solution – one that works for them – rather than having a solution imposed by someone else.
- It's inexpensive.
- It opens lines of communication allowing the parties to better work together.
- You can choose to end mediation at any time, for any reason, and re-enter the EEO process with no loss of rights or benefits.

....and most of all

- *It works!*

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For further information, please contact:

- Office of Civil Rights and Diversity
  (202) 586-2218
  FAX: (202) 586-0888
  TDD: (202) 586-5329

- Office of Dispute Resolution
  Office of General Counsel
  (202) 586-6972
  FAX: (202) 586-7479

- Our web site:
  www.hr.doe.gov/ed/index.html

It is the policy of the Department of Energy to ensure equal opportunity in employment for all persons, regardless of race, color, sex, religion, national origin, age, physical or mental disability, or sexual orientation. The Office of Civil Rights and Diversity is committed to assuring that complaints of discrimination and sexual harassment are promptly and thoroughly investigated and resolved, without reprisal or threat of reprisal to the employee or applicant filing the complaint.

Resolving Your Equal Employment Opportunity Complaint Through

MEDIATION

. . . . Fast
. . . . Effective
. . . . Inexpensive

U.S. DEPARTMENT OF ENERGY
OFFICE OF CIVIL RIGHTS AND DIVERSITY

Discrimination in the Workplace:

Conflict is a normal part of daily life. But when it happens in the workplace, it can be stressful, painful, difficult and counterproductive.

Discrimination is one form of conflict. If you think you've been subjected to discrimination, what should you do? In the past, an equal employment opportunity (EEO) complaint or a formal grievance were two avenues of relief. Now, you have an additional choice for resolving your EEO complaint of discrimination – Mediation.

What is Mediation?

Mediation is a voluntary, informal process used to resolve all kinds of disputes, including EEO complaints of discrimination. In mediation, a trained, impartial third person helps the parties negotiate to resolve their dispute. Mediation emphasizes problem solving, rather than gearing up for protracted adversarial proceedings.

Mediation helps you to resolve issues in a private, confidential and timely manner. Mediation is fast – most cases reach conclusion in a matter of weeks, rather than months or years. And mediation has proved to be successful in nearly half of all EEO cases!

How Does Mediation Work?

The actual mediation process varies in each case. Generally, however, the Mediator will first meet with each party individually to explain the process, answer questions, and hear each side of the dispute.

Then, the Mediator will hold a joint session with both parties to discuss the issues. The Mediator will help the parties set ground rules, and will assist them in exploring possible solutions to the conflict.

In all cases, the decision to settle – or not to settle – remains with the parties. The Mediator cannot make decisions for the parties, and cannot impose his or her own solution on the parties. The role of the Mediator is simply to assist the parties in reaching a mutually agreeable resolution.

Who Participates in Mediation?

There are 3 key participants in any mediation: the Mediator, the complainant, and a management representative. The management representative will be someone with the authority and willingness to resolve the complaint.

Either party is free to bring a legal representative (or any other individual) to assist – but keep in mind that mediation is designed to be informal, and legal representation is not required.

What Happens if the Parties Reach Agreement?

If the parties reach an agreement, the agreement is reduced to writing, and becomes binding on all parties. The Office of Civil Rights and Diversity will assist in ensuring that the agreement is honored by the Department.

How Do I Get Started?

Getting started is easy. Just contact the Office of Civil Rights and Diversity, or the Office of Dispute Resolution, by phone or in writing, to request mediation of your case. Once the parties agree to mediate their complaint, a trained Mediator will be assigned.

Your EEO complaint will be put on hold while mediation takes place, with no loss of rights or benefits to you.

What if I'm Not Happy in Mediation?

What happens if you enter mediation, but you're not satisfied with the process? Of course, you should give the process every chance to work, but if you aren't satisfied, you have the right to end mediation at any time, for any reason. Simply inform the Mediator of your decision, and mediation will cease. At that point, your EEO complaint will resume processing, with no loss of rights or benefits. You risk nothing by giving mediation a try!

Mediation - The Sensible Alternative:

Mediation is so effective that the Equal Employment Opportunity Commission now routinely requires it as part of the EEO process. It's a fast, effective, inexpensive, and low-stress alternative to the standard EEO complaint process. Best of all, it works! Make it work for you.