NGLA-JPM-H   9 September 2020

MEMORANDUM FOR All Louisiana National Guard (LANG) Managers, Supervisors, and Employees

SUBJECT: Alternative Dispute Resolution (ADR) Policy

1. It is the policy of the Louisiana National Guard (LANG), hereinafter referred to as the "Agency," to use Alternative Dispute Resolution (ADR) whenever appropriate and feasible. ADR will be offered throughout the EEO Pre-Complaint and Formal Complaint Process. When the complainant accepts ADR, management will also participate in mediation to the maximum extent practicable and appropriate.

2. ADR proceedings will be voluntary for the complainant or charging party. The parties involved must knowingly and willingly enter into an ADR proceeding. They are able to end the ADR process at any time. Employees or applicants must also be made aware that they retain the right to proceed with the administrative EEO process if they decide that they prefer to do so or if a resolution is not reached.

3. Confidentiality of ADR proceedings must be maintained by everyone involved in the ADR proceeding. This means that information concerning the underlying facts of an ADR proceeding and records generated as part of that proceeding (except the settlement agreement) may not be made part of the EEO complaint record.

4. In order to maintain neutrality, the ADR proceeding must be impartial and independent of control by either party. The LANG will utilize trained ADR practitioners from within the Agency to conduct mediation sessions when suitable. If impartiality is not perceived, an ADR practitioner will be requested from outside of the Agency.

5. The point of contact regarding Alternative Dispute Resolution is the State Equal Employment Manager at Ng.la.laarng.mbx.eo-eeo@mail.mil.

6. This policy statement is effective until rescinded and replaces all previous versions.

                                        D. KEITH WADDELL
                                        BG, LAARNG
                                        The Adjutant General

LOUISIANA
NATIONAL GUARD
PROTECT WHAT MATTERS™