



# Mediation Matters

SAF/GCR Newsletter

FEBRUARY 2016

**Air Force Dispute Resolution Specialist**  
**Mr. Joseph M. McDade, Jr.**  
Principal Deputy GC

**SAF/GCR**



**Mr. Rodney A. Grandon**  
Deputy General Counsel  
Conflict Resolution

**Mr. Norman Jacobson**  
Director

Alternative Dispute Resolution  
703-604-0564 (DSN 664)

**Ms. Leigh A. Bertagnolli**  
ADR Office Manager  
703-601-0739 (DSN 329)

**Ms. Isabelle Cutting**  
Law Clerk  
703-601-1234 (DSN 329)

**Visit us at:**  
[www.adr.af.mil](http://www.adr.af.mil)

**Contact us at:**  
[usaf.pentagon.saf-gc.mbx.saf-gcr-workflow@mail.mil](mailto:usaf.pentagon.saf-gc.mbx.saf-gcr-workflow@mail.mil)

**Inside this Edition**

- Page 2.....Basic Mediation Grads
- Page 2.....ADR Pocket Guide
- Page 3.....Webinars
- Page 3.....Aviano ADR Program
- Page 4.....Corrected Data Input
- Page 4.....Mediator Do's & Don'ts



## HIGHLIGHTS OF THE AIR FORCE ADR PROGRAM DURING FISCAL YEAR 2015

**\*\*From the Desk of Mr. Rodney Grandon, Deputy General Counsel, Conflict Resolution\*\***

SAF/GCR recently submitted its annual report on the use of ADR in FY 2015 to the Secretary of the Air Force. Air Force practitioners found remarkably successful ways to leverage ADR and interest-based negotiation techniques to promote Air Force interests and mission success. In the acquisition arena, the Air Force successfully mediated a \$10B three-party bid protest involving Space Exploration Technologies Corporation (SpaceX), United Launch Alliance (ULA) and the Department of Justice. In the workplace arena, ADR practitioners resolved over 60% of approximately 2,300 workplace disputes.

SAF/GCR continued its partnership with the Air Force Negotiation Center (AFNC) to promote negotiations as a core enterprise capability. In FY 2015, the AFNC announced that it had developed and delivered curriculum to more than 30 Air University programs and courses, reaching more than 35,000 Airmen. We expect to exceed this number in FY 2016.

As we move forward in FY16, SAF/GCR will continue to execute an ADR Program to promote across the Air Force enterprise the use of conflict resolution skills and tools at the earliest stage feasible and at the most appropriate organizational level. Each of you reading this play a key role in the successful execution of our ADR program across the Air Force.

For those of you interested in reviewing the 2015 Annual ADR Report, the full report can be viewed on our website at [www.adr.af.mil](http://www.adr.af.mil).

## FY15 AF GENERAL COUNSEL ADR AWARD WINNERS!

**SMALL ORGANIZATION AWARD**

*377 ABW/EO, Kirtland AFB, NM*

The Kirtland Equal Opportunity Office's innovative approach to workplace ADR paid key dividends in FY15. Staff improved their dispute resolution rate from 61 percent to 86 percent in and attained a customer satisfaction rating of 86 percent, both exceeding the Air Force goals.

**INDIVIDUAL AWARD**

*Major Sarah Edmundson, US Air Force Academy, CO*

A true expert in dispute resolution, the USAFA's Dean of Faculty picked Major Edmundson to stand up the Air Force's first-ever Ombuds Office for Conflict Resolution Services. She drafted the Ombuds Charter and personally resolved 38 complaints, ensuring faculty and staff continue to provide world-class education to over 4,000 cadets without disruption.

**OTHER ORGANIZATION AWARD**

*Commercial Law & Litigation Directorate, JB Andrews, MD*

The Commercial Law and Litigation Directorate expertly leveraged mediation, outcome prediction, and judge-led ADR in more than 25 GAO, ASBCA and federal court cases. The Directorate applied ADR at every level, from single installation claims for as little as \$10K to \$10B government-wide programs.

# NEW BASIC MEDIATION GRADUATES

Congratulations to the following students for completing the Air Force Basic Medication Course in January!

Cheryl Anderson (AMC)  
Mary Arnold (AFRC)  
Tracy Blankinship (AFMC)  
Dwayne Davis (USAFA)  
Amanda Giles (USAFE)  
Lakeisha Jones (AFGSC)  
John Leabo (AETC)  
Darcy Painter (AFMC)  
Willa Pembleton (ACC)  
Shelia Reed (AMC)  
Marilyn Roseborough (PACAF)  
Tracy Valentine-Jordan (AFDW)  
Lorie Wade (AFMC)  
Tanya Whitfield (AFMC)  
Robert Wicks (AETC)



The next Basic Mediation Course scheduled for March 2016 has been postponed until July. SAF/GCR and the Eaker Center for Professional Development, through MAJCOM Training Representatives and ADR Strategic Advisors, will seek nominees for the 12-15 July 2016 course soon. As with the January course, there will be 15 funded seats available. There will be additional seats available for any students who can obtain local funding to attend.



★ **AIR FORCE** ★



**ADR**  
Alternative Dispute Resolution  
in the Workplace



The new Quick Series (QS) 20–page pocket guide for ADR in the Workplace is now available. Each ADR Program office will receive a limited amount within the next few weeks from our office to assist you in marketing your program. The guide features benefits of ADR, the Air Force mediation process, mediator standards of conduct, confidentiality, and more!

**\*\*\*To ensure you receive your guides, please email your mailing address to the GCR workflow at [usaf.pentagon.saf-gc.mbx.saf-gcr-workflow@mail.mil](mailto:usaf.pentagon.saf-gc.mbx.saf-gcr-workflow@mail.mil).\*\*\***

Additional guides can be purchased through the QS GSA contract with unit funds.

Quick Series Publishing (<http://www.quickseries.com>)

Contract #: GS-02F-0276P / Schedule 76

Product Code: 01-0943-023-01, ISBN 974-1-623-50605-6

Pricing: 1-249 (\$3.61); 250-499 (\$3.51); 500-999 (\$3.41); 1,000-2,499 (\$3.31)

“IN THE MIDDLE OF EVERY DIFFICULTY LIES OPPORTUNITY”

~ ALBERT EINSTEIN

# 2016 TRAINING WEBINARS

Don't miss out!! AFNC/GCR webinars are a great way to stay updated on the ADR program and participate in mediation refresher training. Additionally, as we have not held a program manager training workshop since 2013 due to a lack of funding, we do plan to work in program manager training through some of this year's webinars. This will be a great opportunity for new program managers, and a great refresher for those who have even been around for a while.

Webinars are typically held the fourth Wednesday of each month (0900 Central Time) unless otherwise noted. Calendar invites are sent one week prior to presentation. If you are not receiving an invite and would like to, please let us know at SAF/GCR. The Webinar POC is Mr. Paul Firman at the Air Force Negotiation Center (paul.firman.1@us.af.mil).

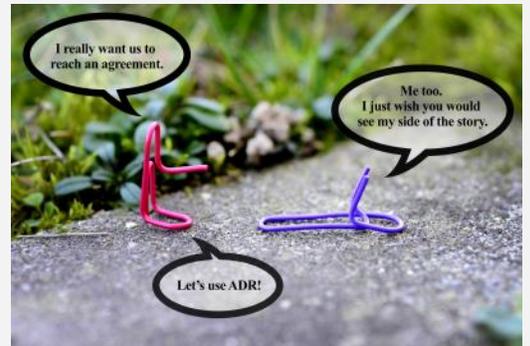
The next webinar is scheduled for 23 March and will address negotiating in a diverse environment. Webinars to follow are currently scheduled for the following dates: 27 April, 25 May, 22 June, 27 July, 28 August, 23 September, 26 October, and TBD for November and December.

## AVIANO ADR PROGRAM MAKING HEADLINES

The following article, written by Senior Airman Areca Bell, 31st Fighter Wing Public Affairs, was a featured article on Aviano Air Base's official website. Kudos to MSgt Morris and the Aviano ADR program for using a great resource to get the word out about ADR!

<http://www.aviano.af.mil/news/story.asp?id=123467394>

No U.S. Airman is the same. Although they all work together to ensure the Air Force remains the world's greatest air, space and cyberspace power, each person may have a different outlook when approaching circumstances.



Sometimes conflicting opinions cause tension between parties due to a lack of understanding from each other's point-of-view. To help achieve open communication and contribution of ideas to constructively resolve conflict in the work center, the 31st Fighter Wing Equal Opportunity Office manages the Alternative Dispute Resolution program.

"Sometimes when people are having an argument, they only see their side of the situation," explained Master Sgt. Melinda Morris, 31st Fighter Wing EO superintendent and ADR manager. "We act as a third, neutral party and try to restore a healthy and happy environment."

The voluntary and confidential program was created after the Administrative Dispute Act of 1996, which called for all federal agencies to adopt and promote ADR.

"This is an avenue for people who can't see eye-to-eye," said Morris. "Conflict has always been around, but healthy conflict resolution hasn't necessarily been the way it is today."

Today, ADR offers many advantages. It promotes the opportunity for parties to speak directly to each other, identify differences and find common ground, which helps create a win-win situation. Also, the time, resources and money necessary to achieve a resolution at the lowest level is reduced.

"If a complainant comes in and if the root cause may be a lack of communication, a [review] is usually conducted by the Legal Office [to determine if ADR is suitable]," said Morris. "A session is then scheduled. When a settlement is reached, it is routed through the appropriate agencies, whether it is the Legal Office, Civilian Personnel Office or even Air Force Personnel Center."

Additionally, ADR conflicts are resolved in an average of 42 days, which drastically contrasts Equal Employment Opportunity complaints procedures and EEO settlements, which average 405 days and 247 days respectively.

"We are neutral, we don't side with management or the complainant," Morris explained. "We are protectors of the process. We are here to help articulate what the issues are and to help solve them."

# \*\*CORRECTION\*\* THE DATA IS IN..OR IS IT?

In the last newsletter, I listed 26 installations that reported ADR data in dispute categories other than Equal Opportunity. After receiving a few calls and emails, I have modified the list to include all installations who reported ADR and/or non-ADR (i.e., Early Resolution (ER)) data during FY2015. The nine installations not listed in the last newsletter have been added to the previous list and can be found below in bold type. If any other installation feels it should have made this list, please call or email me at your earliest convenience.

Altus*	Elmendorf*	Lackland	<b>Peterson*</b>	<b>Travis*</b>
<b>Aviano*</b>	<b>Fairchild*</b>	<b>Langley</b>	Randolph	Vance*
<b>Beale*</b>	<b>Ft Sam Houston*</b>	Laughlin	Robins	<b>Westover*</b>
Charleston	Goodfellow	Little Rock	Scott*	Wright-Patterson
Columbus	Hanscom*	Los Angeles*	Sheppard	
Davis Monthan*	Keesler	Luke	<b>Spangdahlem*</b>	
Eglin	Kirtland	Maxwell	Tinker	

\*Reported less than 10 disputes for FY2015

## SHARE YOUR SUCCESS

If you have a “good news” story, a best practice, a training or inspection benchmark, or any information that could benefit the ADR field, please share it with our office to be published in our quarterly newsletter.

Submit to:  
usaf.pentagon.saf-gc.mbx.saf-gcr-workkflow@mail.mil

Be the first to answer and receive a copy of “Getting to Yes—Negotiating Agreement Without Giving In”

**Question: In the Air Force Mediation Compendium, these are the three things you expect mediation parties to engage in during the third stage of the process—Joint Discussion. What are they?**

Please submit answer to:  
usaf.pentagon.saf-gc.mbx.saf-gcr-workflow@mail.mil

## DID YOU KNOW?

SAF/GCR can assist you in finding (and funding) a mediator for a case if you do not have anyone available or qualified to mediate.

Please work through your MAJCOM ADR Strategic Advisor, who will in-turn, work with our office to find you the right mediator for a successful mediation.

## TOP 10 DO’S AND DON’TS FOR MEDIATORS

At a recent visit to Kirtland AFB, NM, Norm Jacobson presented, at the request of the Kirtland EO Director, Mr. Dick Knudson, a list of Do’s and Don’ts for Air Force mediators. If you have any questions about the lists or would like to add to them, please contact Mr. Jacobson at: noman.jacobson2.civ@mail.mil.

### DO’S

- Do prepare
- Do ensure Proper Parties with Settlement Authority are at the Table
- Do give Parties sufficient time in the past (Don’t let the parties jump to negotiations)
- Do Encourage/Be a Cheerleader
- Do have PATIENCE

### DON’TS

- Don’t take sides/show favoritism
- Don’t assume the Parties are prepared (Do give the Parties “homework”)
- Don’t think you know the resolution the Parties need (don’t brainstorm for the Parties)
- Don’t rush through writing the Settlement Agreement