



## UNITED STATES NUCLEAR REGULATORY COMMISSION

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**Yellow Announcement:** YA-23-0038

**Date:** June 5, 2023

**Expiration Date:** June 5, 2028

**TO: All NRC Employees**

**SUBJECT: ALTERNATIVE DISPUTE RESOLUTION PROGRAM FOR EQUAL  
EMPLOYMENT OPPORTUNITY COMPLAINTS AND RELATED ISSUES**

I want to reaffirm the U.S. Nuclear Regulatory Commission's (NRC) commitment to promoting and sustaining an environment that works towards preventing and resolving workplace disputes and conflicts in a non-adversarial manner for all employees. The NRC continues to establish and implement policies that strive to prevent workplace disputes and conflicts whenever possible by employing the principles of Alternative Dispute Resolution (ADR) to achieve consensual resolution in conflict situations. The use of ADR helps to foster a collaborative organizational culture in which all employees are recognized, valued, and treated with dignity and respect.

The Alternative Dispute Resolution Act of 1996 authorizes and strongly encourages Federal agencies to use ADR as a preferred option in making reasonable efforts to actively resolve workplace disputes and conflicts. By utilizing a variety of problem-solving techniques, ADR aims to prevent and resolve workplace disputes and conflicts in an amicable, fair, and timely manner. The ADR process emphasizes cooperation and incorporates techniques such as facilitated discussions, coaching, conciliation, negotiation, and mediation—the most commonly used method at the NRC—to help rebuild trust between all parties involved.

While workplace disputes and conflicts may be addressed through the Equal Employment Opportunity (EEO) complaint process, the grievance process, and other forums, the NRC fully supports and encourages senior leaders, managers and supervisors, and employees to use ADR as a voluntary option to prevent and minimize the escalation of disputes and conflicts at the earliest and lowest possible level. The ADR process encourages open lines of communication, promotes organizational effectiveness, provides confidentiality, supports productivity and accountability, improves engagement and morale, and fosters equal opportunity and diversity, equity, inclusion, and accessibility in the workplace. Let us continue to promote the use of ADR in conflict situations to better maintain a positive, safe, and healthy work environment where all employees can feel empowered to express their true authentic selves and differences of opinion.

Any matter that falls within the scope of the EEO complaint process may be raised in a formal EEO complaint or through the negotiated grievance procedure, but not both. Employees whose claims fall outside the scope of the EEO complaint process (i.e., claims that may not be brought before the Equal Employment Opportunity Commission) may nonetheless raise such matters, if otherwise grievable, through the negotiated grievance procedure (Collective Bargaining Agreement Article 46, Grievance Procedures). See also Title 29 of the *Code of Federal Regulations* Part 1614, "[Federal Sector Equal Employment Opportunity](#)," Subpart C, "[Related Processes](#)."

For additional information regarding the NRC's ADR Program for EEO Complaints and related issues, please go to [SBCR's web page](#) and/or contact Rhonda Dorsey, ADR Program Coordinator, Office of Small Business and Civil Rights, on 301-415-2254.

**/RA/**  
Christopher T. Hanson  
Chair

Management Directive Reference: MD 10.161, "[Civil Rights Program and Affirmative Employment and Diversity Management Program](#)," Handbook Section I.B

Related Guidance:

[Federal Sector Equal Employment Opportunity \(EEO\) Complaint Process Flowchart](#)

[Update - Policy Guidance on the Use of Official Time in the Equal Employment Opportunity \(EEO\) Complaint Process](#)

[U.S. Nuclear Regulatory Commission Alternative Dispute Resolution \(ADR\) Program Manual, dated October 25, 2019](#)

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\*e-concurrence

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