

Alternative Dispute Resolution

In 1994, the University System of Georgia Board of Regents (BOR) established a system-wide conflict resolution program. In response to this BOR initiative:

- ASU established an **Alternative Dispute Resolution (ADR) Committee** to oversee the development and implementation of a conflict resolution program by which disputes can be settled in an effective, expedient, and amicable manner at the lowest level possible.
- The method of alternative dispute resolution to be employed is “mediation.”
- Faculty, staff, and students are eligible for and encouraged to seek appropriate resolution to conflicts by requesting mediation if communication and negotiations between disputing parties are not productive.

What is mediation?

Mediation is a form of Alternative Dispute Resolution (ADR). It is a voluntary, informal problem solving process in which an impartial person—the mediator— acts as a facilitator to help parties settle their dispute. The mediator does not make a final decision. The people in the conflict solve their own problems; the mediator helps.

Why mediation?

Mediation offers a way for individuals to resolve or manage their differences without becoming enemies. Mediation provides an opportunity to see and understand the other person’s perspective. It also allows disputants to look at more alternatives to reach a solution. The mediator’s presence guarantees the wants, needs, and goals of both parties are addressed. The interests of both parties are considered in reaching a final decision.

What are the benefits of mediation?

- Mediation promotes a win-win resolution to disputes.
- Dialogue tends to generate creative options for ending conflict.
- Participants agree only to solutions that are acceptable to them.
- Due to the collaborative approach, resolutions may preserve and even enhance relationships.
- Mediation is less adversarial and costly than litigation and less time-consuming than the grievance process.

What is the mediation process?

The mediation process at ASU consists of the following steps:

- A request for mediation is made to the chair of the Alternative Dispute Resolution Committee.
- The ADR committee determines whether or not mediation is an appropriate means for resolving the conflict.
- If the grievance is appropriate for mediation, the ADR committee will recommend a trained mediator.
- The mediator meets with all parties to facilitate discussion of the conflict.
- All parties are given an opportunity to present their views.
- The mediator provides a structured process to facilitate communication.
- An attempt is made to reach a mutually satisfactory agreement.
- If resolution is not achieved, then other avenues can be pursued.
- Mediation is strictly confidential.*

*Statements made during mediation are strictly confidential unless such statements reveal conduct which is criminal or which poses a significant risk to the safety of others. All notes taken during mediation are destroyed at the end of the process.

*“Peace is not the absence of conflict but the presence of creative alternatives for responding to conflict.”
-Dorothy Thompson*