

Shared Neutrals

sponsored by the Oregon Federal Executive Board

Frequently Asked Questions

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What is ADR?

Alternative Dispute Resolution includes such processes as facilitation and mediation. These methods generally help participants to negotiate collaboratively to resolve conflict. They are an alternative to traditional adjudicatory or adversarial methods.

What is a “neutral”?

A neutral is a third party to the participants in conflict. With no stake in the outcome, a neutral remains impartial to both sides. Neutrals in this Program are specially trained to facilitate communication and expedite negotiations under a variety of circumstances.

Who are the neutrals?

The neutrals who serve this Program are employees - and trained volunteers - of the participating agencies. They are specially trained and experienced neutrals with diverse professional and cultural backgrounds.

Why share resources?

Each participating agency contributes a little and gains access to a lot. Agencies typically contribute the services of a few neutrals, along with items such as meeting rooms and printing. In exchange, agencies gain access to dozens of highly trained and experienced neutrals, at no additional cost. Perhaps more importantly, neutrals from outside agencies provide both high levels of neutrality and an enhanced appearance of neutrality.

What is mediation?

Mediation is a confidential, informal conflict resolution process in which trained, impartial third parties facilitate the search for a mutually acceptable, self-determined agreement between disputants.

Mediation encourages a collaborative, non-adversarial approach to solving problems. The process is voluntary and provides a safe environment for people to talk through their issues, interests, and feelings.

When should mediation be used?

Mediation is most effective when used before a conflict has escalated to a high level of volatility. It is a highly effective tool when parties are unable to work together effectively, when parties have an interpersonal conflict, and when circumstances or personal styles result in poor communication.

What types of disputes can be resolved through Shared Neutrals?

Participating agencies select the types of disputes they wish to refer to the Program.

Shared Neutrals provides mediation or facilitation for these types of disputes:

- **Employment/Workplace**
communication, cross-cultural, interpersonal, multi-party, staff/management
- **EEO**
discrimination, harassment

Shared Neutrals may also provide mediation or facilitation for these types of disputes:

- **Agency (contracts, etc.)**
- **Agency / Client-Customer**

What types of disputes are NOT appropriate for Shared Neutrals?

The Shared Neutrals Program excludes certain types of disputes that have been deemed inappropriate for this Program as a matter of policy. Shared Neutrals DOES NOT provide mediation or facilitation for these types of disputes:

- **Cases involving serious or criminal misconduct**
- **Disputed union contracts**
- **Cases expected to require more than 35 hours (4-6 hours is typical)**
- **Cases in which parties do not participate voluntarily**
- **Cases that an individual agency elects to exclude**

How long does it take?

Dispute resolution through the Shared Neutrals Program is fast and informal. It generally takes two weeks to schedule a session. The scheduling process may be expedited when circumstances demand immediate attention. Most mediation sessions take between 4 to 6 hours. Complex, multiparty disputes may require more than a day. The Program only accepts cases that are anticipated to take fewer than 35 hours.

What does it cost?

There is no charge to the parties in dispute, because their agencies are participating members. Neutrals are paid for their time by their own employer or volunteer their own time. The only “cost” to participants is to provide their honest feedback (via evaluation forms) about their experience of the process.

Any travel costs incurred are paid by the agency making the request for services. Voluntary agency contributions cover administrative costs such as conference rooms, printing, clerical help, and training.

What happens in mediation?

Participation is voluntary and private. Participants determine the outcome. Generally, a written or verbal agreement is reached. A successful outcome does not always require a formalized agreement. The opportunity to be heard and to hear another perspective can help to clarify issues, provide insight into interpersonal dynamics, and generate new awareness of options.

What happens if it doesn't work?

Sometimes agreements are not reached in mediation or parties do not adhere to agreements they have reached. The Shared Neutrals Program does not insist on or enforce mediation agreements. If parties fail to reach or adhere to agreements, parties are still free to explore other options. Participation in a mediation session does not preclude use of any other options for dispute resolution.