




**U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**  
**THE SECRETARY**  
WASHINGTON, DC 20410-0001

**JUL 19 2018**

MEMORANDUM FOR: All HUD Employees

FROM: Benjamin S. Carson Sr. 

SUBJECT: Alternative Dispute Resolution Policy Statement

As Secretary of the U.S. Department of Housing and Urban Development, I am reaffirming my commitment to sustaining a harmonious and productive work environment where all employees are treated with dignity and respect.

Under the Administrative Dispute Resolution Act of 1996, agencies are authorized and strongly encouraged to use alternative dispute resolution as a preferred option to traditional forms of dispute resolution. Alternative Dispute Resolution (ADR), which encompasses a variety of problem-solving processes, is designed to assist employees in resolving their workplace disputes collaboratively, fairly, and in an efficient and cost-effective manner. ADR is a valuable tool that can be used to resolve a wide range of workplace disputes, including equal employment opportunity complaints, grievances, and team conflicts.

Executives, supervisors, and managers have a duty to use and participate in ADR to resolve workplace disputes and should consider such ADR techniques as mediation (most commonly used in the Department), facilitation, coaching, conciliation, negotiation, and settlements for the benefit of resolving all disputes. The benefits of using ADR may include decreased time, cost, and other resources expended in resolving workplace disputes and increased customer satisfaction; avoided prolonged litigation; increased productivity; and improved employee morale.

I encourage the use of ADR to resolve workplace disputes between HUD employees. By helping parties identify their interests, communicate more effectively, and explore creative solutions, ADR will often lead to durable outcomes that will address everyone's interest and rebuild workplace relationships.

Civil and professional management feedback regarding an employee's performance does not constitute harassment. Further, valid work performance instructions from a supervisor or other management official to an employee does not constitute harassment.

Executives, managers and supervisors bear the leadership and accountability for taking swift, effective, and proportionate action to enforce this policy when they become aware of incidents involving workplace harassment. Preventing workplace harassment is everyone's responsibility, and all reports of harassing behavior and misconduct will be taken seriously and handled appropriately.

HUD employees who experience or witness harassing behavior or misconduct are encouraged to immediately report the incident to their first-line manager/supervisor (unless their first-line manager/supervisor is the alleged perpetrator) and/or the appropriate management official, the Office of Departmental Equal Employment Opportunity (ODEEO), and/or the Office of the Chief Human Capital Officer. Once the Department is aware of the claims of harassment, management will immediately conduct a prompt, thorough, and impartial investigation of the claims.

The Department, to the greatest extent possible, will take every step to protect the confidentiality of individuals alleging harassment. Immediate and appropriate corrective action will be taken if it is determined that harassment has occurred. Employees who believe they have been harassed may also initiate a complaint with ODEEO by calling (202) 708-5921 or by using the E-file system on ODEEO's [hud@work](mailto:hud@work) page.