

ADR and the Federal Emergency Management Agency

An overview of the establishment of the Alternative Dispute Resolution Cadre in the Federal Emergency Management Agency. The conference presentation will give a snapshot of a day in the life of an ADR advisor at a disaster.

1999 – The Alternative Dispute Resolution (ADR) Section was established in the Federal Emergency Management Agency's (FEMA's) Office of General Counsel (OGC) with one attorney, Cindy Mazur. Ms. Mazur provided a range of dispute resolution and collaboration services throughout FEMA including mediation, facilitation, conflict resolution training, and ADR consultation.

2004 – Florida suffered a devastating hurricane season with Presidential disaster declarations for four hurricanes: Charley, Frances, Ivan, and Jeanne. FEMA was required to hire thousands of temporary, on-call Disaster Assistance Employees (DAEs) to quickly respond to these disasters. Getting thousands of new employees to work together like the well-oiled machine they needed to be was a challenge. The Director of Operations requested the FEMA OGC and Ms. Mazur to expand ADR services to disaster field offices by creating an "ADR Cadre." The cadre would deploy ADR practitioners to field offices to assist them to work well together, collaborate, and resolve disputes in the earliest time and at the lowest level.

2005 – Cindy Mazur hired Rob Scott to help develop the ADR Cadre. Just as Hurricane Katrina struck the Gulf coast, FEMA OGC's proposal to establish the new ADR Cadre was approved. A team of 18 DAE/on-call ADR practitioners was rapidly hired.

2006-2010 – At first, the role of ADR Cadre members was misunderstood by both employees and supervisors. Some thought ADR was a place to register complaints or confused ADR with the Equal Employment Opportunity office. Others thought cadre members were employee advocates. Some managers viewed ADR with suspicion assuming that it was an agent of HQ. Gradually, ADR roles as neutral mediators and facilitators and agents of collaboration became understood and valued by both management and employees. Each year a thousand or more staff spoke with ADR to get their issues resolved. Cadre members were given the title of "ADR Advisors" to meet the requirements of the National Incident Management System (NIMS). This reflected the nature of their positions which required a great deal of independence, professional judgment, and a direct reporting relationship to the senior disaster leadership.

2011-2012 – The ADR Cadre developed increased capabilities in response to client requests including conflict coaching, conflict/climate assessments, mediation of formal EEO complaints, full time deployable ADR Advisors, and special purpose training programs such as Communication, Conflict, and Creativity, ADR for Managers & Supervisors, and Strategic Approaches to Conflict Management, Collaboration, and Problem Solving. The ADR Cadre grew to a total of 30 ADR Advisors – 5 full time and 25 Reservists. Erika Jordan joined to help manage the Cadre.

2013-2014 - The Agency increased the force structure requirements for the ADR Cadre to 50, including 10 full time ADR Advisors and 40 Reservists. Thousands of requests for ADR are received each year. The “advisory” role of ADR Advisors has increased dramatically with requests for them to be assigned to support the Federal Disaster Recovery Coordination (FDRC) unit. The FDRC works with local communities devastated by disasters to re-envision their communities and identify resources to build their new vision. ADR Advisors provide advice and support on community engagement processes and effective communication. An outgrowth of the ADR Cadre was the development of an Ombuds office for FEMA Reservists. Recently the ADR Cadre has been given a direct role in the completion of the Agency’s mission when a disaster is declared. Every disaster response includes FEMA funds to rebuild public infrastructure like police and fire stations, schools, and other public facilities. When FEMA expects they will have to deny a public assistance (PA) project, the PA staff now has the option to convene an ADR-Cadre facilitated discussion with the applicants to discuss the reasons for the denial and identify solutions and alternatives.