

Department of the Interior Departmental Manual

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Series: Personnel Management

Part 370: Departmental Personnel Program

Chapter 770: CORE PLUS Program

Originating Office: Collaborative Action and Dispute Resolution (CADR)

370 DM 770

1.1 Authority. Administrative Dispute Resolution Act of 1996, P.L. 104-320; 5 U.S.C. §§ 571 - 584.

1.2 Purpose. This chapter establishes the Department of the Interior's (Department) CONflict RESolution PLUS (CORE PLUS) program as an alternative to the other adversarial dispute resolution processes.

A. The CORE PLUS program replaces two existing workplace alternative dispute resolution programs: CORE, previously under the direction of the Office of Human Resources, and EEO PLUS, previously under the direction of the Office of Civil Rights.

B. The CORE PLUS program is an integrated conflict management system that emphasizes cooperative problem-solving and conflict management tools in addition to alternative dispute resolution processes.

1.3 Policy. The Department is committed to attract, retain and support dedicated, talented, and resourceful employees who work cooperatively to provide exemplary service to the public. The ability to proactively manage and resolve workplace conflict improves the Department's quality of work life and productivity.

A. The CORE PLUS program policies and procedures apply to all Bureaus and Offices.

B. The CORE PLUS program is designed to address any issue/concern raised by any Department employee.

C. The CORE PLUS program provides all employees with fair, equitable, and effective means for constructively resolving workplace conflicts or disputes at the earliest opportunity, at the lowest organizational level, and to the mutual satisfaction of all parties.

D. All employees (non-supervisory, supervisory, managerial, and senior executives) are free to participate in the CORE PLUS program without restraint, interference, coercion, discrimination or reprisal of any kind.

E. The CORE PLUS program relies on a coordinated network of information and resources to help all employees promptly address issues and concerns in the workplace and reduce destructive disputes.

F. Each Bureau or Office must ensure that a management representative participates in ADR when requested by a party bringing an issue/concern to the CORE PLUS program. If an employee's supervisor is directly involved in the issue/concern and does not voluntarily agree to participate, then another management representative, preferably in the employee's chain of command, is required to participate. There may be limited circumstances when ADR is not appropriate and management will not be expected to participate. A decision that ADR is not appropriate will be made in consultation with the Office of Collaborative Action and Dispute Resolution (CADR). In Equal Employment Opportunity (EEO) complaint cases, the EEO officer and the CADR office will jointly determine if ADR is not appropriate.

G. No party in an ADR process may be coerced to reach an agreement and any party may terminate an ADR process at any time.

H. The CORE PLUS program does not replace any legal or administrative avenues of redress available to employees and does not provide any extension of time frames in which to seek redress under any formal administrative processes unless otherwise provided for within a specific administrative process (e.g. EEO complaint process, or Administrative Grievance Procedures).

I. The CORE PLUS program does not delay any pending disciplinary action unless management decides or concurs that the action can be held in abeyance based on the particular circumstances of the case.

J. To maintain credibility and facilitate success, any third party neutral (including CORE PLUS Neutrals or external ADR practitioners, as defined below) must, to the maximum extent permissible by law, keep information given to them confidential unless given permission by all parties to use the information for specific purposes. In addition, the mediation process requires confidentiality in accordance with 5 U.S.C. § 574. In mediation, participating parties must feel free to discuss the issues involved and trust that the discussions will be held confidential. The limitations placed on parties and mediators relating to confidentiality must be explained to the parties to a mediation or other ADR process before it begins. (See Agreement to Mediate Form in CORE PLUS Handbook.)

1.4 Objectives.

A. The CORE PLUS program focuses on maximizing the use of early conflict management tools such as supervisors with open door policies, training, team building,

and open dialogue, as well as ADR processes such as mediation or facilitation, to improve interpersonal communications between and among employees and supervisors, and to preserve relationships between and among employees and supervisors rather than advancing adversarial positions and win-lose outcomes.

B. The CORE PLUS program encourages better communication and early resolution of concerns and conflicts by:

(1) providing information that will address specific workplace issues/concerns; and

(2) providing -- when appropriate -- neutral conflict resolution assistance to address employee and management concerns.

1.5 Coverage. The CORE PLUS program procedures and requirements apply equally to all Bureaus/Offices of the Department. Bureaus/Offices may not issue supplemental CORE PLUS program policy but may issue supplemental implementing guidance as needed by seeking review and surname from the CADR office.

The CORE PLUS program covers all Department employees, regardless of type and tenure of appointment. However, for bargaining unit employees to have access to the CORE PLUS program, there must be specific authorization in the collective bargaining agreement, a Memorandum of Understanding (MOU), or other written agreement between the union and local management.

Some matters have specific administrative processes and time frames that an employee must follow in filing a formal complaint. These matters include but are not limited to EEO and/or sexual orientation discrimination claims, administrative grievances, whistleblowing, and prohibited personnel practices. If an employee seeking assistance from the CORE PLUS program has raised an issue/concern in one of these areas, the CORE PLUS Neutral will inform employees of other available avenues as appropriate to the circumstances and refer them to other sources of information on those avenues.

1.6 Key Terms.

A. Agreement. A resolution agreed to by the parties. Agreements should be in writing.

B. Alternative Dispute Resolution (ADR). Any assisted negotiation process which has the goal of resolving a conflict or dispute between two or more parties. ADR exists in a variety of forms ranging from informal (e.g., interest-based problem-solving, facilitation, conciliation, or mediation, with neutral third party assistance) to formal (e.g., early neutral evaluation, arbitration, mini-trial, etc., where a third party makes a decision which may be binding or advisory as agreed to in advance by the parties).

In general, ADR includes any consensual method used to resolve conflicts or disputes without needing a decision from an administrative review forum or a court. ADR

processes are generally more flexible and more cooperative problem-solving approaches. In the Federal agency context, ADR is usually thought of as informal methods used to resolve conflict where those involved work with a neutral third party to find a mutually acceptable resolution. CORE PLUS Neutrals can assist parties in selecting an appropriate process.

C. ADR Practitioner or Third Party Neutral. An impartial individual, from within or outside the Department, agreed upon by the parties to provide conflict management assistance or ADR services and who has no stake in the outcome of the matter.

D. Bargaining Unit Employee. An employee included in an exclusive bargaining unit. A bargaining unit is a grouping of employees that a union represents (or seeks to represent) and that the Federal Labor Relations Authority finds appropriate for collective bargaining purposes.

E. Bureau Dispute Resolution Specialist (BDRS). The Bureau official responsible for representing the Bureau to the CADR Office. The BDRS's duties include overseeing implementation of the CORE PLUS program to ensure that any employee (including a manager/supervisor or senior executive) receives appropriate conflict resolution advice and assistance consistent with the requirements of the CORE PLUS program. The BDRS coordinates with the CADR Office to provide consistent guidance on CORE PLUS policies and procedures.

F. Conciliation. An informal ADR method in which a neutral third party assists the parties to build a positive relationship.

G. Conflict. The tension or struggle that arises when individuals have differing wants, needs, ideas, beliefs, values or goals. Conflict may result in dissatisfaction, disagreement, or frustration over unmet expectations in the workplace.

H. Conflict Management. The ability to recognize conflict and respond appropriately to resolve the underlying concerns before adversarial positions are hardened.

I. CORE PLUS Neutrals. Employees certified by CADR as qualified ADR practitioners and conflict management experts who deliver CORE PLUS services either full-time, part-time, or as a collateral duty. External ADR Practitioners or Third Party Neutrals found qualified by CADR may also provide CORE PLUS Neutral services. For purposes of implementing this DM Chapter, any reference to CORE PLUS Neutral also includes external ADR Practitioners or Third Party Neutrals. CORE PLUS Neutrals provide or arrange for various kinds of assistance appropriate to each circumstance and acceptable to the parties involved. Assistance may include -- but is not limited to -- providing information (including access and time frame information on administrative, EEO, or other forms of redress), referring employees to appropriate sources (such as the employee's supervisor or the Employee Assistance Program (EAP)), helping define issues or specific concerns, suggesting effective communication and conflict resolution strategies and techniques, coaching parties in their attempts to resolve conflicts on their

own, facilitating meetings, conciliating, gathering information relevant to a particular conflict (when needed to enhance resolution efforts), mediating (when it is appropriate and the parties are willing to participate), or securing the services of other ADR practitioners acceptable to the parties.

J. Days. Refers to consecutive calendar days. If the date that ordinarily would be the last day for filing falls on a Saturday, Sunday, or Federal Holiday, the final date will be the first weekday after that date.

K. Dispute. A conflict becomes a dispute when someone makes a claim, demand, or request of another (employee, supervisor, or manager) and it is denied, rejected or not acted upon.

L. Employee. A current Department of the Interior employee including a manager/supervisor or senior executive.

M. Group Facilitation. An informal ADR method used to improve the effectiveness of a group. A neutral third party assists a group of participants with communication and sharing information, identifying issues, developing problem-solving steps, maintaining direction, and keeping focused on resolution of the issues/concerns to achieve agreed upon goals.

N. Issue/Concern. A matter that engages a person's attention, interest or care, or that affects a person's welfare, performance, or job satisfaction. An expression of dissatisfaction (including disputes) by an employee or group of employees, on a matter arising in the workplace.

O. Manager/Supervisor. May be a party in the conflict or dispute who participates in good faith to resolve workplace concerns including with other managers or supervisors. The manager/supervisor participating in an ADR process must have the authority to approve and implement a written agreement, subject to appropriate administrative, technical, and legal review. Alternatively, a manager/supervisor may refer employees to the CORE PLUS program or other resources to assist in the handling of the workplace issues/concerns.

P. Mediator. A neutral third party, trained to assist parties in negotiating an agreement or other mutually acceptable resolution of a dispute. The mediator has no independent authority and does not render an opinion, but rather assists the parties in finding their own mutually acceptable solutions that reflect their interests and objectives.

Q. Notice of Results and Options. A document addressed to the employee that outlines the issues/concerns, and documents the final disposition of any action taken on the issues/concerns raised in the context of the CORE PLUS program. This document also provides information on other available avenues of further redress.

R. Representative. An individual chosen by the employee or management and who has agreed to represent that party in resolving issues/concerns.

1.7 Responsibilities.

A. Office of the Secretary.

(1) Director, Office of Collaborative Action and Dispute Resolution (CADR).

(a) Supervises the development and implementation of the Departmental CORE PLUS program as set out in 370 DM 770, by establishing policy, implementation guidance, and standard operating procedures for the management of the program.

(b) Coordinates program development and implementation efforts with DOI's Director of Human Resources and the Director, Office of Civil Rights to ensure consistency with all related laws, regulations, Departmental policies and related performance goals.

(c) Sets standards and qualifications for certification of CORE PLUS Neutrals, and external ADR Practitioners and Third Party Neutrals available to assist DOI employees.

(d) Develops and maintains a roster of CORE PLUS Neutrals available to employees requesting or inquiring about CORE PLUS services.

(e) Ensures access to qualified sources of external ADR Practitioners or Third Party Neutrals.

(f) Provides standard program information to employees, managers, and supervisors.

(g) Develops education and training to support the implementation of the program.

(h) Develops and disseminates standard marketing materials for use in educating employees about the program.

(i) Develops a standard tracking, monitoring, and evaluation system for use in managing the program across the Department.

(j) Develops reporting requirements to support the management of the program.

(k) Coordinates administrative support for the program to maximize efficiencies and support the bureaus, such as the use of blanket purchase agreements for acquiring neutral third party services.

(l) Provides CORE PLUS program assistance for the Office of the Secretary.

(2) Director, Office of Human Resources.

(a) Consults on the administration of the CORE PLUS program relative to the Department's Administrative Grievance Procedure, 370 DM 771.

(b) Supports providing information and training to all Bureau Human Resource Officers regarding CORE PLUS.

(3) Director, Office of Civil Rights.

(a) Consults on the administration of the CORE PLUS program for ADR services related to EEO claims.

(b) Supports providing information and training to all bureau Equal Employment Opportunity Officers, EEO Specialists, and EEO Counselors regarding the CORE PLUS program.

(c) Provides information and training to Office of the Secretary managers, supervisors and employees regarding the use of ADR in both the informal and formal stages of the EEO discrimination complaints process.

B. Office of the Solicitor.

(1) Senior Counsel for Collaborative Action and Dispute Resolution.

(a) Shares leadership with and supports CADR's role in the CORE PLUS program.

(b) Provides legal advice on issues related to the CORE PLUS program, ADR and collaborative problem-solving.

(c) Provides CORE PLUS program assistance for the Office of the Solicitor.

(2) Associate Solicitor, Division of General Law, and Regional Solicitors.

(a) Provides legal advice on issues related to personnel and civil rights adjudication and litigation.

(b) Reviews and, if appropriate, approves payment of legal fees and payment of funds in amounts totaling less than \$40,000 so long as no single component exceeds \$20,000.

(3) Solicitor. Reviews and, if appropriate, approves payment of legal fees and compensation in amounts totaling \$40,000 or more, or where any single component exceeds \$20,000.

C. Bureaus.

(1) Director.

- (a) Ensures implementation of the CORE PLUS program.
 - (b) Provides adequate resources for Bureau participation in the CORE PLUS program.
 - (c) Assigns accountability for the operation of the CORE PLUS program to the Bureau Dispute Resolution Specialist (BDRS).
 - (d) Supports the CORE PLUS program by notifying all managers/supervisors and employees of the assistance available.
 - (e) Encourages managers/supervisors to support the CORE PLUS program and participate in good faith in the CORE PLUS processes.
 - (f) Ensures that CADR approved training is provided for managers/supervisors in conflict management and ADR.
 - (g) Encourages employees to bring issues/concerns to the attention of their supervisors personally or through this program.
 - (h) Ensures support by the Bureau's Human Resources and Civil Rights/EEO officials for implementation of the CORE PLUS program.
 - (i) Consults in the planning of supplemental implementation guidance or instructions deemed necessary to implement this policy, as well as review and surname by the CADR office.
 - (j) Ensures appropriate participation by management officials with settlement authority.
- (2) Bureau Dispute Resolution Specialist.
- (a) Oversees, monitors, and coordinates implementation of the CORE PLUS program in collaboration with appropriate Departmental and Bureau officials.
 - (b) Serves as the Bureau representative on the Interior Dispute Resolution Council and coordinates the delivery of training to support operation of the CORE PLUS program.
 - (c) Manages the roster application process identifying Bureau employees seeking certification as CORE PLUS Neutrals consistent with the Department's requirements and standards for certification.
 - (d) Monitors and evaluates the use of CORE PLUS in the Bureau using the tracking, monitoring, and evaluation system developed by CADR.
 - (e) Submits data and/or reports on the Bureau's use of CORE PLUS, as required, to CADR.

(f) Recommends one or more CORE PLUS Program Coordinators and Neutrals qualified to perform the functions described above in the Definitions and Responsibilities sections and ensures that they maintain certification. Services provided by CORE PLUS Neutrals such as mediation or other ADR services may also be provided by a contractor or other qualified person from outside the Department, when appropriate, and agreed to by the parties.

(g) Ensures employees who have collateral duty CORE PLUS Neutral or other CORE PLUS program responsibilities do not also have advocacy duties of any type (e.g., representing management or employees in disciplinary proceedings, grievances, EEO discrimination complaints, etc.) that would or could create an actual or perceived conflict of interest or position.

(3) Bureau Human Resources Officer.

(a) Provides information on the CORE PLUS program to the servicing human resources offices (SHRO).

(b) Ensures that SHRO staff receive training on the CORE PLUS program and their conflict management role and provide advice, assistance, and guidance to supervisors and managers on the grievance process and ADR options.

(c) Provides technical advice or assistance to CORE PLUS Neutrals and reviews agreement proposals as needed.

(d) The HR Officer or SHRO staff also may refer employees and/or managers to the CORE PLUS program for additional assistance as appropriate.

(4) Bureau Equal Opportunity Officer.

(a) Provides information on the CORE PLUS program to Bureau EEO Specialists and Counselors.

(b) Provides technical advice or assistance on EEO discrimination complaint cases to CORE PLUS Neutrals, reviews draft settlement agreements to ensure accuracy regarding regulatory and legal requirements, and retains the settlement agreements of EEO complaints to assure compliance requirements are met.

(c) Ensures that EEO counselors receive training on the CORE PLUS program and their conflict management role and provide advice, assistance, and guidance to employees, supervisors, and managers on the EEO complaint process and ADR options.

(d) The EEO Director, EEO Specialists, or EEO Counselors also may refer employees and/or managers to the CORE PLUS program for assistance as appropriate.

(e) Provides training on the use of CORE PLUS in the EEO complaints process as part of EEO training for managers, supervisors, employees, and EEO Counselors and encourages the use of ADR.

(f) Ensures that ADR is offered to employees at pre-complaint and formal stages of the EEO complaint process and the sexual orientation complaint process, as appropriate.

(5) CORE PLUS Neutral.

(a) Responsible for meeting certification standards and annual requirements to maintain roster certification.

(b) Responsible for complying with Interagency Guide for federal mediators and ethical standards for federal mediators.

(c) Keeps supervisor apprised of time spent on CORE PLUS Neutral duties.

(d) Completes intake forms and assists employees to frame, clarify, and record their issues/concerns.

(e) Provides early conflict resolution assistance, which may include coaching, joint problem solving, conciliation, or mediation. Discusses and recommends approaches that might be appropriate to each situation. Arranges and/or conducts ADR or other form of neutral assistance as appropriate and acceptable to the parties. Secures the services of other ADR practitioners when appropriate and acceptable to the parties.

(f) Subject to the agreement of the parties, acts as a third party neutral to assist in resolving workplace issues/concerns.

(g) Assists the parties in securing the services of an external third party neutral if the parties agree that they would prefer an outside neutral to assist them in resolving their issues/concerns.

(h) Protects the confidentiality of the CORE PLUS process used to resolve issues/concerns, consistent with legal and policy requirements (See Section 1.3J).

(i) Advises employees and management participants of procedures, time frames, and/or special procedures that may be applicable to the issues/concerns.

(j) Offers coaching and advice, when appropriate, to encourage parties in conflict to communicate in an attempt to resolve matters without third party assistance.

(k) Drafts agreements reached by parties, and ensures appropriate technical and legal review is obtained before the parties sign the agreement.

(l) Ensures parties in any CORE PLUS process are encouraged to complete appropriate evaluation form.

(m) Inputs accurate data into the CORE PLUS tracking system in a timely manner.

(n) Issues written Notice of Results and Options to parties on any other avenues of redress available when CORE PLUS efforts do not resolve all issues or concerns.

(o) Provides information and education to employees and management about the CORE PLUS program.

(6) Manager/Supervisor.

(a) Maintains open and consistent communication on work issues/concerns with employees, clarifies misunderstandings, and makes reasonable adjustments to address work problems and relationships with employees.

(b) Actively seeks resolution of workplace issues/concerns at the earliest opportunity.

(c) When appropriate, attempts to directly resolve issues/concerns with employees prior to using a third-party neutral. As needed, seeks advice and support from a CORE PLUS Neutral.

(d) Provides employees with communication, education, and access to information regarding the CORE PLUS program.

(e) Ensures that management representative in an ADR process has authority to settle and participates in good faith in mediation or other dispute resolution efforts.

(f) Protects the confidentiality of the CORE PLUS process used to resolve issues/concerns, consistent with legal and policy requirements.

(g) When necessary, provides funds to cover travel for CORE PLUS Neutral or costs of acquiring external ADR Practitioner or Third Party Neutral services.

(7) Employee.

(a) Raises issues/concerns as early as possible and attempts to resolve issues/concerns with other employees or supervisors prior to using a third party neutral. As needed, seeks advice and support from a CORE PLUS Neutral.

(b) Maintains open and consistent communication on work issues/concerns with supervisor and other employees.

(c) Participates in good faith in mediation or other agreed upon process or efforts.

(d) Protects the confidentiality of the ADR process consistent with legal and policy requirements.

1.8 CORE PLUS Program Requirements. Each Bureau/Office will ensure that the procedures for implementing the CORE PLUS program are followed.

A. CORE PLUS Program functions. Each Bureau/Office must:

(1) Ensure that a qualified BDRS is designated to carry out the responsibilities listed in Section 1.5C.

(2) Recommend employees who are qualified to function as CORE PLUS Neutrals and able to provide impartial conflict resolution assistance and services on request in accordance with CORE PLUS program procedures. CORE PLUS Neutrals must be viewed as competent, impartial, and trustworthy.

(3) Designate additional CORE PLUS program coordinators as necessary to assist the BDRS in ensuring implementation of the CORE PLUS program and providing all Bureau employees with equal and timely access to assistance from a CORE PLUS Neutral.

(4) Identify other sources of qualified neutral third party assistance available to Bureau employees, either in lieu of or in addition to CORE PLUS Neutrals, in coordination with CADR.

B. Time Frames and Compliance with Other Processes.

(1) Ensure compliance with the federal labor relations statute (5 U.S.C. Chapter 71) and collective bargaining agreements when bargaining unit employees seek assistance through CORE PLUS. (Specific authority must be provided in the collective bargaining agreement or by MOU. See Section 1.5, Coverage.)

(2) Allow employees to bring any issue/concern to the CORE PLUS program without time constraints. However, this provision does not act to change or extend time limits in formal avenues of redress (such as EEO complaints, administrative grievances, or negotiated grievances) unless provisions allowing for extension of timeframes exist in the applicable administrative procedure.

(3) Inform each employee bringing an issue/concern to the CORE PLUS program that if he/she is interested in using the EEO discrimination complaints process, he/she must raise any issue that involves an allegation of discrimination or harassment with the EEO Office or an EEO counselor within 45 days of the incident that gave rise to the issue/concern or the effective date of the personnel action. This information will be contained in a document that must be signed by the CORE PLUS Neutral and the employee and a copy provided to the Bureau Equal Opportunity Officer.

(4) Inform each employee bringing an issue/concern to the CORE PLUS program that he/she must present a grievance in writing within 15 days of the date of the challenged action or inaction or the date he/she became aware of it in order to retain the right to file a formal grievance, although the deadline for filing an informal grievance may be extended by the grievance official in some circumstances. See 370 DM 771, Section 1.10A. This will be contained in a document that must be signed by the CORE PLUS Neutral and the employee and a copy provided to the Human Resources Director. The time frames required for presentation of a grievance under a negotiated grievance procedure may be different.

C. Steps and Procedures. Each CORE PLUS Neutral must:

- (1) Document the specific issues/concerns on an Intake Form, transfer intake data to CORE PLUS tracking system, and retain a copy at the Bureau level.
- (2) Within 15 days of the initial contact (as documented on the CORE PLUS Intake Form), informally gather relevant information and discuss and recommend an appropriate method or approach to address the issues/concerns presented by the employee.
- (3) If mediation is deemed appropriate by the CORE PLUS Neutral and agreed to by the parties, provide the parties with scheduling information and ask them to sign an “Agreement to Mediate” covering confidentiality and other aspects of the mediation process.
- (4) Extend the time frame beyond the first 15 days of the initial visit, in no more than two 15-day increments, if the parties agree to continue an attempt to resolve the issue/concern within the CORE PLUS program. The ADR process may continue beyond this time frame only if the parties involved jointly agree to an extension and in the judgment of the CORE PLUS Neutral they are making progress toward a resolution. In EEO discrimination complaint cases, ADR may not exceed 90 days from the date of the initial contact by the employee with an EEO official or EEO counselor, unless an additional extension is signed by the employee.
- (5) Provide a Notice of Results and Options to the parties upon determining that the issue/concern is likely to remain unresolved or the time frame expires, and, in the CORE PLUS Neutral’s judgment, the parties are not close to resolution.
- (6) Inform an employee that, upon receipt of a Notice of Results and Options, or at any time during the CORE PLUS process, an employee may:
 - (a) Take no further action; or
 - (b) As appropriate, take action under any other applicable formal avenue of redress.
- (7) Complete the process evaluation form and encourage the parties to do the same.

D. Agreements.

(1) Agreements effecting final resolution of the issues/concerns may be entered into at any point in the ADR process.

(2) If full or partial resolution is achieved, all appropriate parties sign the agreement. When necessary, proposed agreements will receive appropriate technical, legal, and administrative review. The participating parties are bound by the terms of agreements to the extent legally permissible. See (5) below.

(3) Each signer is to receive a copy of the agreement. In addition, the appropriate Bureau office (e.g., SHRO or EEO Officer) will retain an original copy of the agreement.

(4) Agreements between parties will be specific to the issue/concern being resolved and will not be considered precedent-setting or controlling concerning future matters in which similar issues/concerns may arise. Parties are encouraged to include a provision for resolving any conflict that might arise in the implementation of the agreement. If an allegation arises that a party to an agreement has not implemented or complied with a term of the agreement, the Bureau/Office should allow the party to raise the allegation with the BDRS who will obtain appropriate technical and legal advice to discuss and recommend appropriate options to resolve the concerns. The exception for non-compliance claims regarding agreements in EEO complaint cases is detailed in the following item.

(5) If the agreement resolves a matter raised in the EEO complaint process, the agreement must be in writing, signed by the parties, and state clearly the terms of the resolution and the procedures to follow in the event that a breach of the agreement is alleged.

E. Settlement Authority. Management representatives must have authority to settle or access to appropriate settlement authority during a mediation process, including access to legal and technical assistance (Human Resources in each instance, and EEO if appropriate) regarding the terms of settlement. See DM chapter on Authority to Settle Administrative Employment-Related Claims.

1.9 Training. Education and training are critical to the success of the CORE PLUS program. Each Bureau/Office must:

(A) Educate all employees about the CORE PLUS program.

(B) Encourage all managers and supervisors to receive basic conflict management training provided or approved by CADR.

(C) Ensure that all Bureau personnel responsible for providing advice and assistance on human resources and EEO matters are educated about the CORE PLUS program and can make appropriate referrals for ADR assistance.

(D) Ensure that the designated BDRS satisfies all training requirements established by CADR.

(E) Ensure that all individuals recommended for certification as CORE PLUS Neutrals satisfy the education and training requirements established by CADR, including annual refresher training. The minimum qualifications, education, training, and experience required for certification as a CORE PLUS Neutral are provided in more detail in the CORE PLUS Implementation Handbook. (See 1.15, below).

1.10 Certification standards for CORE PLUS Roster of Neutrals.

A. CORE PLUS Roster of Neutrals. The CADR Office will maintain a Departmental roster of individuals certified to serve as CORE PLUS Neutrals. The roster will provide employees and managers/supervisors with easy access to individuals qualified to assist them in resolving workplace concerns. The roster will be managed to ensure that all certified CORE PLUS Neutrals have a reasonable opportunity to participate in CORE PLUS processes in order to maintain a high skill level, while also ensuring sufficient capacity to provide prompt assistance at the lowest possible cost. To avoid any potential conflict of interest or appearance of bias, employees selected to serve as CORE PLUS Neutrals should not be assigned advocacy duties of any type including representing management or employees in disciplinary proceedings, grievances, EEO cases, etc. that would create an actual or apparent conflict of position. A conflict of interest may arise from involvement with the subject matter of the dispute or any relationship between a CORE PLUS Neutral and any participant in CORE PLUS processes, whether past or present, personal or professional, that reasonably raises a question of the CORE PLUS Neutral's impartiality.

B. Selection and Certification of CORE PLUS Neutrals. The CADR office is responsible for the selection and certification of a representative group of CORE PLUS Neutrals. The BDRSs will conduct the application process for CORE PLUS Neutrals using the application forms and guidance provided in the CORE PLUS Implementation Handbook and recommend qualified candidates to the CADR Office for selection and certification. Additional guidance for recruiting and selecting neutrals and the requirements for certification as a CORE PLUS Neutral are provided in the CORE PLUS Implementation Handbook. (See 1.15, below).

C. Operation of DOI Roster of CORE PLUS Neutrals. The Roster of Neutrals will be maintained by CADR in consultation and coordination with the BDRS for use by all Bureaus/Offices.

1.11 Representation. Employees may represent themselves, or be represented by someone of their choice. However, the choice of representative, if a DOI employee, may be denied if it would result in a conflict of interest or position, a conflict with mission priorities, or unreasonable costs. Management may also elect to have representation. Designation of a representative must be made in writing to the CORE PLUS Neutral.

Bureaus have the authority to deny the choice of representative for the reasons stated and this decision cannot be appealed. Attorney fees and other costs of representation are generally the responsibility of the employee.

1.12 Use of Official Time. Employees and their representatives, if Department employees, shall be permitted a reasonable amount of official time (generally a matter of hours, not days), if otherwise in a duty status, to prepare and present their issues/concerns and to communicate with a CORE PLUS Neutral, management, and other sources of procedural guidance such as human resources staff or EEO counselors. “Presenting” means discussion with the manager/supervisor, meeting with a CORE PLUS Neutral, or participating as required in any stage of the CORE PLUS process. Preparation for presentation of an issue/concern means meeting with an attorney or other representative, conducting research, or preparing a written response. A reasonable amount of official time will be allowed without charge to leave or loss of pay in accordance with pertinent regulations. Official time must be requested and approved in advance by the appropriate supervisory official. (However, initial contact with a CORE PLUS Neutral does not require prior supervisory approval.) Expenses related to travel, if deemed necessary by all parties, must also be approved in advance.

1.13 Evaluation.

A. Annual Report. Each Bureau must submit an annual evaluation report to the CADR Office in accordance with guidance included in the CORE PLUS Implementation Handbook.

B. Program Progress Meetings. In addition to the annual report, the BDRS must meet with the CADR Office every six months to discuss Bureau progress implementing the CORE PLUS program. Included in these discussions will be the identification of trends, evaluation of procedural issues, and program effectiveness. Periodic feedback and evaluation will allow for continuous improvement.

1.14 Records Management. At a minimum, the following records must be maintained on file in accordance with the National Archives and Records Administration (NARA) General Records Schedule 1, Item 27 (Transmittal No. 12, July 2004), but in no instance less than three years:

- A. Agreement to Mediate
- B. Intake Form
- C. Notice of Results and Options
- D. Participant Evaluation Form
- E. Original Copy of Written Agreements

The CADR Office will provide requirements and guidance to the Bureaus on the establishment of reporting and tracking systems that will assure the integrity of the CORE PLUS program. Bureaus and Offices will maintain a records system to comply with the Department's requirements under NARA General Records Schedule 1/27, including ADR general files and ADR case files.

1.15 Additional Guidance. Additional guidance may be found in the CORE PLUS Implementation Handbook developed by the CADR Office. This handbook is available from the CADR Office and may also be found on the web page at www.doi.gov/cadr.

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