

## Resolution: Labor Board Announces Initiative To Increase ADR Participation

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The National Labor Relations Board (NLRB) launched a formal [alternative dispute resolution \(ADR\) program](#) in 2005. That program entails the use of mediators who assist parties in board proceedings explore resolution options. According to the NLRB's website, "For parties who have chosen to participate in the ADR program, mediators have assisted parties in reaching settlements in approximately 60% of the cases.

The Board approved the parties' settlements in each of those cases." The board now is seeking to increase the utilization of its ADR program. On July 10, the agency announced in a press release that: "it is launching a new pilot program to enhance the use of its Alternative Dispute Resolution (ADR) program. The new pilot program will increase participation opportunities for parties in the ADR program and help to facilitate mutually-satisfactory settlements. Under [the new pilot program](#), the Board's Office of the Executive Secretary will proactively engage parties with cases pending before the Board to determine whether their cases are appropriate for inclusion in the ADR program. Parties may also contact the Office of the Executive Secretary and request that their case be placed in the ADR program. There are no charged fees or expenses for using the program."

This follows moves by the NLRB earlier this year to remove potential barriers to early resolutions in board proceedings, such as the [elimination of a requirement](#) that "default clauses" be included in all settlement agreements. These are potentially positive developments for employers involved in protracted unfair labor practice litigation because they may offer avenues to achieve quicker and more efficient resolutions. Stay tuned to see how the new pilot program plays out.

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