



# OSHA INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

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**DIRECTIVE NUMBER:** CPL 02-03-006

**EFFECTIVE DATE:** 08/18/15

**SUBJECT:** Alternative Dispute Resolution (ADR) Processes for Whistleblower Protection Program

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## ABSTRACT

- Purpose:** The purpose of this Instruction is to establish policies and procedures for the early resolution process, which is to be used as part of a regional Alternative Dispute Resolution (ADR) program, in relation to OSHA's enforcement of whistleblower laws.
- Scope:** OSHA-Wide. Implementation of ADR processes is at the discretion of Regional Administrators (RAs).
- References:** OSHA Instruction: CPL 02-03-003, September 20, 2011 – Whistleblower Investigations Manual (“the Manual”); the Occupational Safety and Health Act, 29 U.S.C. § 660(c); the Surface Transportation Assistance Act, 49 U.S.C. § 31105; the Asbestos Hazard Emergency Response Act, 15 U.S.C. § 2651; the International Safe Container Act, 46 U.S.C. § 80507; the Safe Drinking Water Act, 42 U.S.C. § 300j-9(i); Federal Water Pollution Control Act, 33 U.S.C. § 1367; the Toxic Substances Control Act, 15 U.S.C. § 2622; the Solid Waste Disposal Act, 42 U.S.C. § 6971; the Clean Air Act, 42 U.S.C. § 7622; the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9610; the Energy Reorganization Act, 42 U.S.C. § 5851; the Wendell H. Ford Aviation Investment and Reform Act for the 21<sup>st</sup> Century, 49 U.S.C. § 42121; the Sarbanes-Oxley Act, 18 U.S.C. § 1514A; the Pipeline Safety Improvement Act, 49 U.S.C. § 60129; the Federal Railroad Safety Act, 49 U.S.C. § 20109; the National Transit Systems Security Act, 6 U.S.C. § 1142; the Consumer Product Safety Improvement Act, 15 U.S.C. § 2087; the Affordable Care Act, 29 U.S.C. § 218C; the Consumer Financial Protection Act of 2010, 12 U.S.C. § 5567; the Seaman's Protection Act, 46 U.S.C. § 2114; the FDA Food Safety Modernization Act, 21 U.S.C. § 399d; and the Moving Ahead for Progress in the 21st Century Act, 49 U.S.C. § 30171.
- Cancellations:** None.

**State Plan Impact:** Federal Program Change, Notice of Intent Required, Adoption Encouraged.

This Instruction describes a Federal Program Change which establishes policies and procedures for the early resolution process, which is to be used as part of an Alternative Dispute Resolution (ADR) program in conjunction with the State Plans' investigation of whistleblower complaints under the State Plan equivalent to section 11(c) of the OSH Act. References to whistleblower provisions other than section 11(c) of the OSH Act are not applicable to State Plans. States are strongly encouraged to adopt this Instruction and should utilize it in an "at least as effective" manner.

States are required to notify OSHA within 60 days whether they intend to adopt policies and procedures identical to those in this Instruction or adopt or maintain different policies and procedures. If a state adopts or maintains policies and procedures that differ from Federal policies and procedures, the state must identify the differences and may either post its new or existing policies and procedures on its website and provide the link to OSHA, or submit an electronic copy to OSHA with information on how the public may obtain a copy. If a state adopts identical policies and procedures, the state must provide the date of adoption to OSHA. State adoption must be accomplished within six months, with posting or submission of documentation within 60 days of adoption. OSHA will post summary information on the State Plan responses to this Instruction on its website.

**Action Offices:** Directorate of Whistleblower Protection Programs (DWPP); OSHA Regional Offices.

**Originating Office:** DWPP, Washington, D.C.

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By and Under the Authority of

David Michaels, PhD, MPH  
Assistant Secretary

## **Executive Summary**

From October 1, 2012, to September 30, 2013, OSHA piloted an Alternative Dispute Resolution (ADR) program in Regions V (Chicago) and IX (San Francisco), OSHA Direction: DIR 12-01 (CPL 02), October 1, 2012 – Whistleblower Alternative Dispute Resolution (ADR) Program. The pilot ADR program offered whistleblower parties two new avenues for exploring resolution of their disputes through a voluntary settlement agreement: (1) the “early resolution” process offered parties the opportunity to negotiate a settlement with the assistance of a neutral, non-decision-making OSHA whistleblower expert, and (2) the “mediation” process offered parties the opportunity to participate in a one-day, in-person mediation session with a professional third-party mediator.

The “early resolution” process proved to be a very effective and viable alternative to the investigative process and an invaluable asset to OSHA’s whistleblower protection programs. The early resolution process demonstrated that adding staff dedicated to the coordination and facilitation of settlement negotiations provides valuable relief to OSHA’s whistleblower investigative staff, and provides a highly-desired service to the program’s customers. In light of these results, OSHA is expanding the availability of the early resolution process to all regions and the purpose of this Instruction is to establish the policies and procedures that apply to early resolutions. This Instruction does not preclude OSHA’s regional offices from offering additional ADR processes (*e.g.*, third-party mediations) to parties.

## **Significant Changes**

This Instruction implements a new program.

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I. Purpose.

The purpose of this Instruction is to establish policies and procedures for the early resolution process, which is to be used as part of a regional Alternative Dispute Resolution (ADR) program, in conjunction with OSHA's investigation of whistleblower complaints.

II. Scope.

OSHA-Wide. Implementation of ADR processes is at the discretion of Regional Administrators.

III. References.

OSHA Instruction: CPL 02-03-003, September 20, 2011 – Whistleblower Investigations Manual (“the Manual”); the Occupational Safety and Health Act (the OSH Act), 29 U.S.C. § 660(c); the Surface Transportation Assistance Act, 49 U.S.C. § 31105; the Asbestos Hazard Emergency Response Act, 15 U.S.C. § 2651; the International Safe Container Act, 46 U.S.C. § 80507; the Safe Drinking Water Act, 42 U.S.C. § 300j-9(i); Federal Water Pollution Control Act, 33 U.S.C. § 1367; the Toxic Substances Control Act, 15 U.S.C. § 2622; the Solid Waste Disposal Act, 42 U.S.C. § 6971; the Clean Air Act, 42 U.S.C. § 7622; the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9610; the Energy Reorganization Act, 42 U.S.C. § 5851; the Wendell H. Ford Aviation Investment and Reform Act for the 21<sup>st</sup> Century, 49 U.S.C. § 42121; the Sarbanes-Oxley Act, 18 U.S.C. § 1514A; the Pipeline Safety Improvement Act, 49 U.S.C. § 60129; the Federal Railroad Safety Act, 49 U.S.C. § 20109; the National Transit Systems Security Act, 6 U.S.C. § 1142; the Consumer Product Safety Improvement Act, 15 U.S.C. § 2087; the Affordable Care Act, 29 U.S.C. § 218C; the Consumer Financial Protection Act of 2010, 12 U.S.C. § 5567; the Seaman's Protection Act, 46 U.S.C. § 2114; the FDA Food Safety Modernization Act, 21 U.S.C. § 399d; and the Moving Ahead for Progress in the 21st Century Act, 49 U.S.C. § 30171.

IV. Significant Changes

None.

V. Action Offices.

A. Responsible Offices.

Directorate of Whistleblower Protection Programs (DWPP); OSHA Regional Offices. *See* “Roles and Responsibilities” for further information.

B. Action Offices.

Directorate of Whistleblower Protection Programs (DWPP); OSHA Regional Offices. *See* “Roles and Responsibilities” for further information.

C. Information Offices.

Directorate of Cooperative and State Programs.

VI. Federal Program Change.

Federal Program Change, Notice of Intent Required, Adoption Encouraged.

This Instruction describes a Federal Program Change which establishes policies and procedures for the early resolution process, which is to be used as part of an Alternative Dispute Resolution (ADR) program in conjunction with the State Plans' investigation of whistleblower complaints under the State Plan equivalent to section 11(c) of the OSH Act. References to whistleblower provisions other than section 11(c) of the OSH Act are not applicable to State Plans. States are strongly encouraged to adopt this Instruction and should utilize it in an "at least as effective" manner.

States are required to notify OSHA within 60 days whether they intend to adopt policies and procedures identical to those in this Instruction or adopt or maintain different policies and procedures. If a state adopts or maintains policies and procedures that differ from Federal policies and procedures, the state must identify the differences and may either post its new or existing policies and procedures on its website and provide the link to OSHA, or submit an electronic copy to OSHA with information on how the public may obtain a copy. If a state adopts identical policies and procedures, the state must provide the date of adoption to OSHA. State adoption must be accomplished within six months, with posting or submission of documentation within 60 days of adoption. OSHA will post summary information on the State Plan responses to this Instruction on its website.

VII. Background.

This Instruction articulates the policies and procedures that the Occupational Safety and Health Administration (OSHA) will use when administering the "early resolution" process, which is part of a regional Alternative Dispute Resolution (ADR) program, to attempt to resolve complaints filed under the whistleblower provisions of the OSH Act and 21 other federal statutes. The whistleblower protection laws enforced by OSHA cover millions of employees in healthcare, food, finance, air travel, pipeline, transit, rail, and other industries. Each year, OSHA receives and docketed several thousand whistleblower complaints for investigation. ADR processes can assist complainants and respondents to resolve their whistleblower complaints in a cooperative and voluntary manner. When ADR processes are successful, they can provide timely relief and finality to both parties.

Federal ADR processes are authorized by the Alternative Dispute Resolution Act (ADRA), 5 U.S.C. 571 *et seq.* An agency may use an alternative dispute resolution procedure to resolve an issue in controversy that relates to an administrative program if the parties agree to such proceeding. 5 U.S.C. 572(a). The ADRA defines an

“administrative program” to include a “Federal function which involves protection of the public interest and the determination of rights, privileges, and obligations of private persons through rule making, adjudication, licensing, or investigation . . . .” 5 U.S.C. 571(2).

Offered as an alternative to the investigative process, the early resolution process provides parties with the opportunity to explore settlement of their dispute with the assistance of a neutral, confidential OSHA representative who has subject-matter expertise in whistleblower investigations. The purpose of this Instruction is to articulate the principles and procedures that apply to the early resolution process. This Instruction does not preclude OSHA’s regional offices from offering additional ADR processes (*e.g.*, third-party mediations) to parties.

#### VIII. Definitions.

The following terms are defined for the purposes of this Instruction:

***Alternative Dispute Resolution (ADR)*** – is an approach to the settlement of whistleblower complaints by means other than litigation. As a general matter, ADR is broadly understood to involve the use of negotiation, mediation, conciliation, or arbitration. These techniques are not mutually exclusive in any particular conflict, but can be used sequentially or in combination with other methods for resolving whistleblower complaints. ADR is typically a consensual process that involves the intervention of a third-party neutral to assist parties in resolving their conflict.

***Early Resolution*** – is an ADR process in which the parties to a whistleblower complaint agree to attempt to resolve the whistleblower complaint with the assistance of a neutral, confidential OSHA representative. The early resolution process can be launched either before the case has been assigned for an investigation, or at any point while an investigation is ongoing. The focus of early resolution is to achieve quick and voluntary resolution of the whistleblower complaint instead of an investigation to determine the validity of the charge and potential statutory violations. Should the parties elect to pursue early resolution but fail to enter into a settlement agreement within a reasonable time frame, the case will be transferred to an OSHA Whistleblower Investigator to start or resume investigation of the complaint.

***Investigation*** – is a process in which an OSHA official (the Investigator) investigates the whistleblower complaint and provides a written recommendation to the Supervisor based on the evidence and the law. The Supervisor then reviews the file and, in consultation with the Assistant Regional Administrator (ARA) and/or RSOL, as warranted, recommends a determination or referral for litigation to the Regional Administrator or his or her designee.

***RADRC*** – is a Regional ADR coordinator.

***Settlement*** – is an agreement between parties to mutually resolve a whistleblower complaint without resorting to legal proceedings. A settlement may be reached at any time after the filing of the complaint and prior to the issuance of the Secretary’s Findings or the Secretary’s filing of a complaint in federal district court.

IX. Roles and Responsibilities.

A. Regional Administrator (RA).

The RA or his/her designee is responsible for:

1. Ensuring that the ADR program is staffed with an appropriately trained and qualified Regional ADR Coordinator (RADRC);
2. Ensuring that information about the ADR program and its processes is provided to interested parties;
3. Ensuring that the early resolution process is carried out in accord with the policies and procedures articulated in this Instruction, including ensuring that the ADR process is separate from the investigative process in accord with the ADRA;
4. Ensuring that ADR-program activity is appropriately tracked in either OSHA’s WEBIMIS Whistleblower Database or an alternative data tracking system as identified by the RA and/or DWPP, and ensuring that activity data and information are shared with DWPP for reporting purposes;
5. Ensuring that settlement agreements reached under ADR processes are properly reviewed and approved in accord with Chapters 1 and 6 of OSHA’s Whistleblower Investigations Manual (the Manual).

B. Directorate of Whistleblower Protection Programs (DWPP).

DWPP is responsible for:

1. Providing technical assistance on ADR processes to OSHA’s staff, including RADRCs;
2. Coordinating the delivery of appropriate training and guidance materials (*e.g.*, FAQs) to OSHA staff on ADR processes, OSHA statutes, and applicable policies, which may include coordination with OSHA’s Training Institute and the RADRCs;
3. Collecting and evaluating feedback on the ADR process for reporting purposes;

4. Tracking, monitoring and reporting on the overall outcomes of the ADR program.

X. Early Resolution.

A. Overview.

1. Early resolution is a valuable alternative to the expensive and time-consuming process of an investigation and litigation.
2. Early resolution is a voluntary process in which the parties agree to utilize a neutral, confidential OSHA representative (RADRC) to assist them in resolving a whistleblower complaint by mutual agreement. RADRCs have no authority to impose settlements on the parties.
3. OSHA encourages parties to utilize the early resolution process as early as possible, but parties may request early resolution at any point during an investigation. Before an investigation is initiated, OSHA will offer the parties the option of submitting their dispute to the early resolution process instead of assigning the case for investigation. But, if parties choose not to engage in early resolution before an investigation begins, they may still seek early resolution at any point while OSHA's investigation is ongoing. As a general rule, parties may only submit their case to OSHA's early resolution process one time, unless the RADRC grants an exception and allows for additional early resolution attempt(s).
4. OSHA's early resolution process is separate from the investigative process. Information obtained by the RADRC during the early resolution process is confidential and will not be disclosed to OSHA's investigative staff.
5. During the early resolution process, the RADRC may not offer a determination on whether a complaint has merit or the amount of damages that a complainant should seek. The RADRC may suggest how the parties might reach an agreement, and may give the parties an objective perspective on the strengths and weaknesses of their positions, but the RADRC may not offer judgment on the merits of the complaint.
6. The RADRC may share documents between the parties during the early resolution process at the parties' request, but the RADRC must not share those documents or otherwise discuss their contents with OSHA's investigative staff or any other individual not involved in the early resolution. Documents collected during the early resolution process should be retained by the Regional Office in accordance with applicable file retention requirements, which include ensuring that ADR files are kept separate from the whistleblower investigative files.

7. If the complaint is not resolved during the early resolution process, a party is free to provide documents and evidence that it submitted during the early resolution process to the assigned Investigator for consideration in the investigation. In addition, the assigned Investigator may request documents and information from a party as part of the investigation even though the party submitted this same information during the ADR process.

B. Process.

1. Upon receiving a timely complaint that contains a *prima facie* allegation of retaliation, OSHA will send opening letters to both the respondent(s) and the complainant(s) informing the parties about OSHA's ADR program and the option to submit their dispute to early resolution. The opening letter will include a copy of the "ADR Request Form" (*see* Attachment A).
2. If both parties request early resolution at any point during the investigation, any investigative work will be stayed and the case will be submitted to the RADRC. Both parties will be required to complete an ADR Request Form (*see* Attachment A) to acknowledge their agreement to pursue early resolution instead of an investigation.
3. If only one party agrees to early resolution, both parties will be notified that the early resolution process is not available and that the investigation will proceed according to the procedures identified in the Manual, Chapter 3, Conduct of the Investigation.
4. If both parties do not elect to pursue early resolution before an investigation, but both agree to pursue early resolution during the investigation, the Investigator and/or Regional Supervisory Investigator (RSI) will suspend the investigation and transfer the case to the RADRC. Both parties will be required to complete an ADR Request Form (*see* Attachment A) to acknowledge their agreement to pursue early resolution.
5. Even if both parties request early resolution, the RADRC may recommend to the RA, or his/her designee, as defined in the Manual, Chapter 1, paragraph X.A.1., that the case is not suitable for the early resolution process. For example, OSHA may decline to accept a case if it believes that one or both of the parties do not intend to participate in good faith.
6. If OSHA accepts the case for early resolution, the RADRC will inform the parties of the ground rules for participating in the process, including the RADRC's role in the process, the applicable confidentiality rules, and OSHA's requirements for the approval of settlement agreements, as set forth in Chapter 6 of the Manual. Investigation deadlines may be adjusted (*e.g.*, the deadline for the employer's submission of a position statement) while the parties are engaged in the early resolution process.

7. During the early resolution process, the RADRC will work with the parties to explore whether there is common ground for settlement. The RADRC may provide general information about the whistleblower law and procedures to the parties, and may give the parties an objective perspective on the strengths and weaknesses of their respective positions, but the RADRC will not offer judgment on the merits of the complaint.
8. OSHA may terminate the early resolution process under certain circumstances and/or at the discretion of the RA or his/her designee, as defined in the Manual, Chapter 1, paragraph X.A.1. For example, OSHA may terminate the process if either party violates the ground rules for participation, including engaging in abusive behavior and/or failing to participate in good faith. OSHA may also terminate the process if the parties reach an impasse and cannot come to an agreement within a reasonable amount of time. Because early resolution is a voluntary process, OSHA must terminate the process if one or both of the parties decide to end the process for any reason.
9. If the process ends without an agreement, the RADRC will transfer the case to the RSI and/or the Investigator and inform them that the early resolution process was not successful. The RADRC will use the ADR Outcome Form (*see* Attachment B) for this purpose. When transferring the case back to the RSI, the RADRC will not comment on the positions of the parties or the communications that occurred during the early resolution process. OSHA will then resume its investigation following the procedures outlined in Chapters 3 to 5 of the Manual, as appropriate.
10. If the parties can agree upon a framework for settlement, the RADRC may draft a proposed settlement agreement following the procedures outlined in the Manual, Chapter 6, Remedies and Settlement Agreements. Alternatively, the parties may draft and submit an agreement for OSHA's approval following the procedures outlined in the Manual, Chapter 6, Remedies and Settlement Agreements. If OSHA – through the RA or his/her designee, as defined in the Manual, Chapter 1, paragraph X.A.1. – approves the settlement agreement, the RADRC will return the agreement to the parties for signature.
11. If both parties sign a settlement agreement, the RADRC will notify the RSI that the case has settled. The RADRC will use the ADR Outcome Form (*see* Attachment B) for this purpose. The RADRC will also provide the RSI with the original, signed copy of the settlement agreement for preservation in the investigative case file. When notifying the RSI of the settlement, the RADRC will not comment on the positions of the parties or the communications that occurred during the early resolution process.

12. Regardless of the outcome of early resolution, the Regional Office will retain documents collected during the early resolution process in accord with applicable file retention requirements. ADR documents will be maintained separately from whistleblower investigation case files and their contents will not be shared or discussed with OSHA's investigative staff or any other individual who was not involved in the early resolution process unless both parties consent to disclosure or disclosure is otherwise required by law.
13. OSHA will not reimburse the parties for any travel expenses. Early resolution conferences can take place via telephone if travel would be costly or create a hardship for any party.

XI. Core Early Resolution Principles and Concepts.

A. Voluntary.

Early resolution is a voluntary process. Both parties must mutually agree to pursue the early resolution process as an alternative to an investigation, and either party may choose to terminate the process and return the case to investigation for any reason. OSHA is committed to providing quality investigations to all parties who seek them, and participating in early resolution will not affect the parties' right to receive a full and fair investigation into the merits of the complaint if early resolution does not resolve their dispute.

B. Good Faith.

The early resolution process is only effective when the parties participate in good faith. "Good faith" participation means that the parties engage in the process with openness to resolving the whistleblower complaint and treat each other, the process, and any third-party neutrals with respect. Parties should come to the process fully prepared to discuss resolution of the whistleblower complaint and must have full authority to settle the dispute.

C. Neutrality.

1. The RADRC has no decision-making authority and does not represent either party.
2. While the RADRC may give the parties an objective perspective on the strengths and weaknesses of their positions, he/she may not offer judgment on the merits of the case.

D. Confidentiality.

1. ADR case files generally consist of communications between the parties and a neutral appointed by OSHA and agreed upon by the parties. These files must be segregated from whistleblower investigative case files. ADR case files are generally exempt from disclosure under Freedom of Information Act (FOIA) Exemption 3 and should not be released in response to a FOIA request, in compliance with the ADRA. However, approved settlement agreements reached in the early resolution process must be placed in the investigative case file because they are not dispute resolution communications that are confidential under the ADRA. Settlement agreements are subject to FOIA, including possible protection from disclosure under FOIA Exemption 4 and the Executive Order 12600 process.
2. The RADRC will assure the parties that the RADRC will not disclose statements made and/or documents submitted during the early resolution process, including any settlement offers made, to any individual outside of the early resolution process. Preserving the confidentiality of party statements and submissions during the early resolution process, to the extent permitted under the law, allows parties to explore settlement without fear that their discussions will be used against them.
3. The RADRC will not discuss the merits of the complaint or the content of early resolution discussions with OSHA's investigative staff. The RADRC may only communicate the outcome of the early resolution process.
4. At the conclusion of the early resolution process, all information or materials provided to, or created by, the RADRC – including all notes, records, or documents generated during the course of the early resolution process – will be maintained in accord with applicable file retention requirements, which includes keeping these records separate from the OSHA investigation case file and inaccessible to OSHA's investigative staff. Parties and/or their representatives are permitted to retain their own notes.
5. All parties to a dispute resolution proceeding, including the RADRC, are not permitted to disclose and cannot be required to disclose through discovery or compulsory process any communication that is part of the early resolution process, unless an exception listed under 5 U.S.C. § 574 applies, or if required by another law.
6. Any settlement agreement reached must be approved by the RA or his/her designee, as defined in the Manual, Chapter 1, paragraph X.A.1. OSHA will maintain a copy of the approved settlement agreement in the investigative case file.

7. The parties may waive confidentiality or agree to confidentiality requirements that are less restrictive than those in 5 U.S.C. § 574(a), but they must inform the RADRC of such an agreement before the early resolution process begins.
8. OSHA will follow all applicable rules and procedures under the FOIA and the Privacy Act if it receives a FOIA or Privacy Act request that covers the settlement agreement or ADR case file.

E. Conflict of Interest.

1. In general, the RADRC should avoid conducting early resolution where there is an actual or potential conflict of interest between the RADRC and one or more parties.
2. However, the parties may waive a conflict after the RADRC fully discloses it to them. If the parties wish to waive a conflict, the RADRC must note the conflict and both parties must waive it in writing.
3. Otherwise, where a conflict exists, the RADRC will recuse him/herself and an alternative, neutral OSHA representative will be appointed to carry out the early resolution.

XII. Parties' Ability to Settle during the OSHA Investigation.

Nothing in OSHA's ADR program precludes or restricts the parties' ability to settle their whistleblower complaint independently or with the assistance of an Investigator, the RSI, or other ADR service during an OSHA investigation. However, a settlement agreement in a whistleblower case that the parties reach prior to the close of OSHA's investigation must be submitted to OSHA for approval as provided in the Manual, Chapter 6.

Attachment A

**ADR Request Form**

Case No. [Enter Number]

The Occupational Safety and Health Administration (OSHA) offers a voluntary program under which the Complainant and Respondent may resolve a whistleblower complaint outside of the investigative process, through early resolution. Early resolution is a process in which the parties attempt to negotiate a settlement with the assistance of a neutral OSHA whistleblower expert, who is not the investigator assigned to the case and is not involved in OSHA's decision-making on the merits of the case. Communications during the early resolution process are kept confidential, to the extent permitted by law, and are not disclosed to the Whistleblower Investigator or any other Department of Labor employee who is involved in the agency's decision-making on the merits of the case. If OSHA approves the parties' request for early resolution, the investigation will be stayed pending the outcome of the early resolution process.

If the complaint is not resolved during the early resolution process, either party may share information and documents that it disclosed during the early resolution process with the assigned Whistleblower Investigator.

If you are interested in participating in early resolution, please fax this form or call the Whistleblower Investigator at: Telephone: [INSERT] or Fax: [INSERT].

\_\_\_\_\_ I am interested in pursuing early resolution as an alternative to OSHA's investigation.

---

Signature \_\_\_\_\_ Date \_\_\_\_\_

---

Print Full Name \_\_\_\_\_ Daytime Phone Number \_\_\_\_\_ Email address \_\_\_\_\_

Attachment B

**ADR OUTCOME FORM**

**Case Name and Number:**

**Date Complaint Filed:**

**RADRC:**

**Date submitted to ADR:** \_\_\_\_\_

**Date ADR concluded:** \_\_\_\_\_

**Total Days:** \_\_\_\_\_

**CASE DISPOSITION**

\_\_\_\_\_ **Agreement**

\_\_\_\_\_ **No Agreement, return to investigation.**

\_\_\_\_\_  
Print Name (RADRC)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date