

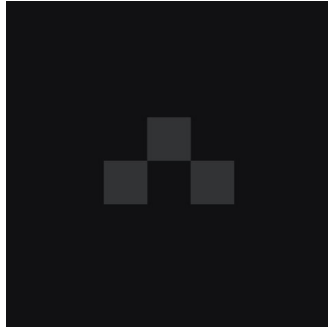
PUBLICATIONS

Alternative Dispute Resolution in the Executive Employment Context

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The primary mechanism for resolving disputes between employees and employers has been civil litigation. Yet criticisms of litigation, particularly in the employment context, are ubiquitous. The adversarial system is expensive, disruptive, public, and protracted. Neither executives nor their employers wish to spend years and enormous sums of money litigating and publicly airing their disputes. Often, disputes between executives and their employers are not merely about money. Rather, they involve more personal issues, such as job performance, compensation, or discrimination based on age, race, disability, or gender, or some other protected characteristic. A courtroom is not necessarily the best place for the parties to hash out these issues. “Alternative dispute resolution” (ADR) is heralded by many as the means to avoid many of the pitfalls of litigation in the employment context.

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