

## **AGREEMENT TO MEDIATE**

The parties and mediators who participate in mediation at Mediation Services for Faculty and Staff understand and agree to the following:

1. Mediation is a voluntary process where the parties choose to make a good faith effort to resolve their dispute.
2. The mediator is a neutral facilitator who helps the parties discuss and try to resolve their dispute. The mediator does not serve as an advocate for either party, make judgments about who is right or wrong, or tell the parties what to do.
3. Although the mediator and parties generally meet together as a group, it may be useful at times for the mediator to meet separately and privately with each party. The mediator or any party may request this. Before reconvening as a group, the mediator will ask each party what if any part of the private conversation s/he may share with the other parties. The mediator will share only the information that s/he has been given permission to share.
4. Any party may choose to take a break from or end the mediation at any time.
5. The parties do not give up their right to use grievance or other conflict resolution processes.
6. The parties may seek legal counsel. The mediator does not provide legal advice.
7. The mediator will keep all information discussed at the mediation confidential unless (a) otherwise agreed by all of the parties or (b) s/he becomes aware that someone might be in physical danger, experiencing illegal harassment, or engaging in serious criminal activity.
8. The parties will keep all information discussed at the mediation confidential unless otherwise agreed by all of the parties. They will not use information gained solely through the mediation process at any legal or administrative proceeding. They will not demand from the mediator any written record of the mediation or call the mediator as a witness in any legal or administrative proceeding.
9. To preserve the confidentiality of the mediation process, neither the mediator nor Mediation Services will keep any name-based records of the mediation.
10. The parties may choose whether to put in writing and sign any agreement reached at the mediation.
11. The parties may use a signed, written mediation agreement in subsequent relevant proceedings, unless the agreement says otherwise.
12. The parties will comply with any agreement that they reach at the mediation.