



## Mediation Rules Acknowledgment Faculty Relations

Mediation is an informal, voluntary, and non-binding process available for resolving conflicts. The expectation is that all communication is to remain confidential by all participants unless all participants agree in writing or unless disclosure is required by law or university policy.

### **The following mediation rules apply:**

#### SECTION 1: PARTICIPANTS

- The participants agree to negotiate in good faith and give honest and accurate information in the mediation session(s).
- The participants agree to address one another and the mediator civilly and respectfully.
- The content of mediation session(s) must be kept confidential, unless all participants have agreed otherwise in writing, or unless disclosure is required by law or university policy.
- Addressing interpersonal conflict related to tenure discussions

#### SECTION 2: MEDIATOR(S)

- The role of the mediator is to act as a neutral third-party facilitator to assist participants in reaching a resolution.
- The mediator is a neutral party and has no authority to make final determinations or enforce the outcomes of a mediation.
- The mediator will not provide legal counsel or act as an advocate for any participant.
- The mediator has no authority to impose university discipline.
- The mediator cannot and will not provide legal advice. The participants are encouraged to seek their own outside legal counsel if they are concerned about their interests, rights, or obligations.
- While the participants are encouraged to abide by any agreed upon outcomes of the mediation, neither the mediator nor the University has any authority to enforce any plans reached by the participants during the mediation.

#### SECTION 3: PROCESS

- Legal counsel and other support persons may not attend the mediation session(s). Only those participants directly involved in the dispute may participate in the mediation session(s), but participants are free to obtain their own outside legal counsel and consult with that counsel outside of the mediation session(s).
- Participants (or the mediator) may request a break and/or terminate the mediation at any time during the mediation session. In the interest of a successful mediation, the mediator may set time limits on breaks.
- By participating in the mediation, the participants do not give up their right to use the University's formal grievance procedures or any other internal or external resolution processes.

#### SECTION 4: CONFIDENTIALITY

- The process and the information discussed during the mediation session(s) will remain confidential unless otherwise stipulated to by the participants or unless disclosure is required by applicable law or university policy.
- Exceptions to confidentiality include but are not limited to violation of university policies/procedures, illegal activity, and mandatory reporting as required by law or as outlined in the policies and procedures of the University.



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- Failure to maintain confidentiality or abide by mediation rules will be reported to and may be addressed by a participant's direct supervisor.

### SECTION 5: STATEMENT OF UNDERSTANDING

The participants hereby acknowledge that they have read and understand these mediation rules and that failure to comply with these mediation rules may result in discontinuance of the mediation process or session and/or ineligibility for mediation services, in the mediator's sole discretion.

Date: \_\_\_\_\_

Participant Name

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Participant Signature

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Participant Name

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Participant Name

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Mediator Name

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Mediator Signature

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Mediator Name

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Mediator Signature

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