

# If you filed a charge of discrimination, why would you want to mediate?

## “TOP 10” REASONS TO MEDIATE

1. Saves Time – An investigation and court case can take a very long time. Most mediations can be scheduled in less than 30 days.
2. Saves Money – Even though you do not need an attorney and you do not have to be represented by an attorney in mediation, the further along the case goes the more you may want to have attorney to contend with the Respondent’s attorney or legal team. You will have to meet with Commission staff during an investigation – which means you lose work time or your free time. Mediation can save the costs of you losing additional work time and personal time.
3. Allows You to Be Heard – This may be the only time you can share your experience face to face with the business in your own words. There are no formal witnesses in mediation sessions, it is your chance to discuss what happened, how you feel and what you want to do or be done to try to resolve the dispute. If you do not reach a resolution in mediation that works for you, you do not lose your chance to have your complaint investigated by the Commission.
4. Less Formal Than Court – Mediation is a facilitated conversation between the disputing parties and their representatives. It is an informal way to communicate and try to reach a resolution. There are no judges or witnesses and evidence is not required. Mediators don’t make decisions, there are no judges, it is an informal way to communicate and try to reach a resolution.
5. Mediators are Neutral – Mediators don’t make decisions or suggestions. They are not hired by either side and are not employees of the Commission. They have no vested interest in the outcome and will not advocate for either side. Mediators do NOT represent the company, organization or entity that you filed your complaint against.
6. Mediator Guide the Process – Mediators are trained to facilitate the mediation process to make sure everyone has an opportunity to speak, to clarify concerns and to discuss possible ideas for resolution. They are there to also ensure that you do not feel threatened or coerced.
7. Confidentiality – All participants will sign a Participation & Confidentiality Agreement at the beginning of each mediation session. It is agreed that mediators will NOT be subpoenaed and all notes taken during mediation sessions will be collected and destroyed at the end of the mediation. If mediation does not result in a successful resolution, discussions in mediation will not be shared with any future Commission investigator assigned to the case.
8. Thinking Outside the Box – You can discuss and negotiate almost anything you want with the business/organization. You can be creative – this is your chance to make your own suggestions on how to resolve the dispute rather than a having a judge or the Commission render a decision that may not be best for you.
9. Business has Incentive to Mediate – If you agree to mediate, the Respondent has reasons to try also. They will save time, money and energy too by trying to resolve this amicably and improve their overall image.
10. Chance to Make a Difference – This may be a chance for you to really affect some change in the policies and practices of the business. You may also prevent problems and/or bad treatment from happening to others in the future if you decide to mediate your case.