

## WHAT IS MY ROLE?

The process is informal and voluntary. Each party is expected to identify issues they disagree on, and keep an open mind to find out how they might agree. At any time during the process, any party has the right to end the mediation.

## MAY I BRING AN ATTORNEY?

You may bring an attorney, but an attorney is NOT required. You may bring a friend or relative for support, but that person must sign the mediation confidentiality agreement.

## IS THE PROCESS CONFIDENTIAL?

Before the process starts, participants and mediator agree to keep the mediation confidential. At the conclusion of mediation the mediator shall direct the parties to destroy all records of conversations or notes made by anyone present during the mediation. The mediation process and any documents involved are NOT public records.

## WHO ARE THE MEDIATORS?

Mediators are certified and trained in mediation and PHRC has trained them specifically in equal employment opportunity law. They are lawyers who work for the state, but are not PHRC employees. Even though they are lawyers, they cannot give legal advice or advocate on behalf of either party. Their role is to remain neutral and encourage communication.

## WHAT HAPPENS AFTER MEDIATION?

A successful mediation results in a confidential settlement, which both parties have agreed to as a way to resolve their dispute.

If mediation is unsuccessful, or if a settlement cannot be reached within 10 days after the complaint is served on the employer, the case returns to PHRC for investigation.

# PHRC Mediation Program Pilot

**Mediation:**  
Seeking  
compromise  
without  
compromising  
equal opportunity

For more information, see  
**FILE A COMPLAINT**  
on our website, or contact  
Mediation Program Legal Coordinator  
717-787-9537  
RA-mediation@pa.gov



**pennsylvania**  
HUMAN RELATIONS COMMISSION

## WHAT IS MEDIATION?

Mediation is a way to resolve disputes without lengthy investigations, or going to a PHRC hearing or the courts. It is a voluntary, informal process in which a trained, neutral mediator helps people explore and resolve their differences together. The goal is to produce a settlement acceptable to both parties.

## WHY CHOOSE MEDIATION?

It works, that's why. PHRC's mediation program is based on the federal government's Equal Employment Opportunity Commission, or EEOC, program that has been successful for more than 20 years. In the first 10 years of EEOC's program, 91 percent of complainants and 96 percent of employers who participated were so satisfied with the process, they said they would choose mediation again if offered.\*

### How mediation pays off for everyone:

- Resolves claims quickly
- Avoids long, costly investigations & hearings or court
- Enables parties to reach a voluntary agreement that satisfies both sides
- Satisfies PA's goal of ending possible discrimination & preventing it in the future

\* American Bar Association, Section of Dispute Resolution Conference, April 28, 2001

## HOW MEDIATION WORKS

