



# MEDIATION

## AGREEMENT TO MEDIATE

### UCI HR MEDIATION PROGRAM FOR STAFF

I am participating in mediation to see if it will be possible to enhance communication and/or resolve pending issues or problems. I understand and agree to the following terms and conditions regarding the mediation process:

1. I understand that mediation is a conciliatory process in which an acceptable third person or persons, with no decision-making authority or power to impose a resolution, intervenes in the conflict or dispute between us, the participants, with the goal of supporting us to reach agreement.
2. Mediation is voluntary and with prior notice to the mediator I can withdraw at any time. I understand that any agreement reached during mediation is entirely voluntary.
3. I understand that the mediator's role is not to decide who is right or wrong, or who wins or loses. Rather, the mediator will facilitate communication to assist us, the participants, to reach our own mutually acceptable resolution of this matter.
4. I understand that the mediator is not going to act as an advocate or representative for me or for anyone else.
5. I understand that mediation is a confidential and private process and I agree to respect the confidentiality and privacy of all discussions and communications engaged in during or in connection with the mediation. I understand that the purpose of mediation is to try to improve communication and/or resolve a conflict or dispute, and not to gather information for other purposes.
6. I understand that the mediator will not voluntarily testify on behalf of any participant and will not report anything said during this mediation unless one of the participants makes a genuine threat of physical or psychological harm or reveals information of criminal activity, child abuse or elder abuse.
7. I agree that I will not subpoena the mediator, or any other persons participating in the mediation, to testify about anything that was said or written down during or in connection with the mediation.
8. It is the intention that all confidentiality protections afforded by law apply to each mediation. To preserve the confidentiality of the mediation process, I understand and agree that if I raise claims in this mediation that, if true, would constitute a violation of UC or UCI policy or law, my raising of any such claims does not constitute notice to UCI of such violations. In order to report claims alleging a violation of UC or UCI policy or law, I will follow appropriate internal UCI procedures for the reporting of such claims.

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

Participant's Signature: \_\_\_\_\_

Participant's Signature: \_\_\_\_\_

Mediator's Signature: \_\_\_\_\_

## **GROUND RULES FOR MEDIATION**

1. We will take turns speaking and not interrupt each other.
2. We will remain focused on the issues at hand and avoid being sidetracked into other non-relevant areas.
3. We will not demean, belittle, blame or attack each other, nor will we engage in put-downs, and will ask questions of each other for the purposes of gaining clarity and understanding only.
4. We will stay away from establishing hard positions and express ourselves in terms of our personal needs and the outcomes we wish to realize.
5. We will listen respectfully, and sincerely, try to understand the other person's needs. We will not make assumptions about the other person's motives or needs.
6. We recognize that even if we do not agree with the other person's perspective, each of us is entitled to our own perspective.
7. We will not dwell on things that did not work in the past but instead will focus on the future we would like to create.
8. We will make a conscious sincere effort to refrain from unproductive arguing, venting and defensiveness.
9. We agree to work consciously towards what we perceive to be the fairest and most creative agreement possible.
10. We will speak up if something is not working for us in mediation. In particular, we will point out if we feel the mediator is not being neutral and impartial.