Information About the Mediation Process

Mediation Process. Mediation is a voluntary and confidential process that brings participants together with a mediator(s) in an informal, neutral setting to share perspectives, identify disputed issues, develop options, consider possible solutions, and seek to reach a mutually acceptable resolution to their dispute. Mediation enhances communication and understanding between the participants assisting them to resolve their dispute and discuss future relationships. Mediation often concludes with the participants creating a formal agreement stating the agreed resolution.

The mediation process will include:
- an opportunity for all parties to be heard,
- identification of issues to be resolved in mediation,
- generation of alternatives for resolution,
- and, if participants desire, writing a resolution agreement.

Time Expectations. While there is no time limit on the length of the mediation process, sessions typically last 2-3 hours. The time spent in the mediation is governed by the complexity of the issues, the participants’ willingness to communicate openly and fully discuss the identified issues, and commitment to reach a mutually satisfactory resolution with the other party.

Mediator’s Role. The University has developed a pool of trained mediators from its on-campus staff who are neutral and unbiased with no stake in the outcome of the mediation process. The role of the mediator is a facilitator of the communication process, not an advocate, judge, jury, counselor, or therapist. The mediator does not give legal advice, solve the dispute, express an opinion on who is right or wrong, or make decisions for the participants. The mediator assists the participants in generating possible solutions that are mutually acceptable.

Participant’s Role. The parties must be voluntary participants, be sincerely interested in resolving their differences, have a certain trust in the mediation process, and be willing to talk openly and honestly about their concerns and issues. For mediation to be effective, participants must listen and be respectful for the success of the process. These discussions may become the basis of a resolution. Consistent with the University’s Principles for Ensuring Equity, Civility and Respect for All, participants are expected to behave in a manner that engenders mutual respect, treating each other with courtesy and civility.

Confidentiality. Because the goal of mediation is to empower the participants to share information openly and honestly without fear of embarrassment or retaliation, the sessions are confidential. Thus, all participants in the process must treat as confidential all writings and communications made during the mediation session or in connection with the process. The mediators will destroy all notes developed for and during the mediation process except for any final written agreement that may be reached among the participants. Exceptions to confidentiality include: information disclosed indicating evidence of abuse, threats of physical harm to self or others, harassment, violent behavior, sexual violence, assault, misconduct, illegal discrimination, and/or criminal activity, or any information which JHU as an employer would be responsible to act on based on legal and/or policy obligations will be reported by the mediator to the appropriate JHU office for review and follow up.

Prior to the beginning of each mediation session, the mediator(s) will ask participants to sign a “Consent to Mediate” form.