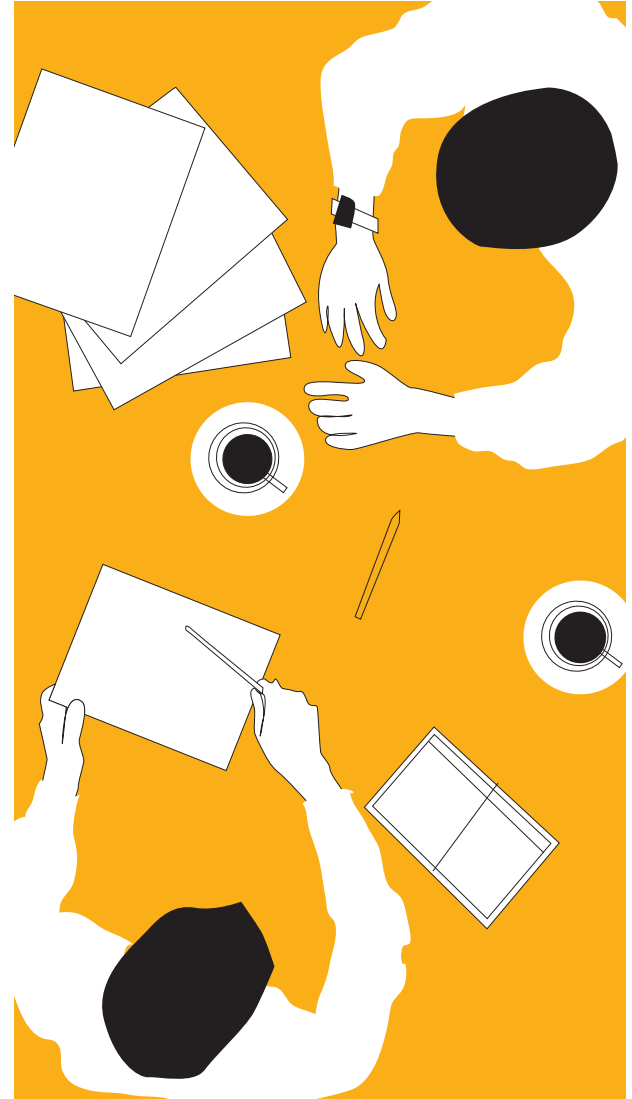


MEDIATION

QUESTIONS AND ANSWERS

Can mediation help me?



Bill de Blasio, Mayor
Carmelyn P. Malalis, Commissioner/Chair

nyc.gov/humanrights
@NYCCHR

Dial **311** for more information.
Dial **911** in case of emergency.

NYC Commission on
Human Rights

If you are interested in attempting mediation
or need additional information,
call **(212) 416-0126** or dial **311**,
or complete this form and return to:

NYC COMMISSION ON HUMAN RIGHTS
Office of Mediation and
Conflict Resolution
P.O.Box 2023
New York, N.Y. 10272

In the case of: _____
Complaint #: _____
Services requested by: _____
Name: _____
Address: _____
City/State: _____ Zip code: _____
Telephone: () _____
Name of attorney/representative: _____
Address of attorney/representative: _____
City/State: _____ Zip code: _____
Telephone: () _____



THE OFFICE OF MEDIATION AND CONFLICT RESOLUTION

The Office of Mediation and Conflict Resolution (“OMCR”) provides free mediation services to parties involved in complaints filed with the New York City Commission on Human Rights. This brochure answers some of the most commonly asked questions about mediation with OMCR and may help you decide whether or not mediation can work for you.

What is Mediation?

Mediation is an informal meeting between the parties to a conflict. The goal of mediation is to find a mutually acceptable way to end the dispute.

MEDIATION IS NOT AN ARBITRATION OR HEARING.

No decisions will be imposed by the Mediator.

No witnesses will be called to testify.

MEDIATION IS VOLUNTARY.

Everyone must agree to participate. Parties can choose to discontinue mediation at any time.

What is a Mediator?

A Mediator helps parties exchange views and clarify their interests. The Mediator

assists parties in exploring possible solutions and finding a way to reach an agreement.

Mediators are not judges or arbitrators.

Mediators are impartial and neutral.

Mediators will not take sides.

What are the Benefits of Mediation?

INFORMAL - Parties can talk more freely than in investigation/litigation.

EXPEDIENT - Mediation may take less time than a formal investigation/litigation.

COST EFFECTIVE - The case can be resolved with less effort, expense and personnel than investigation/litigation.

CONFIDENTIAL - The Mediator will not divulge confidential information given to him/her during the mediation.

EMPOWERING - The parties control the outcome of the dispute.

Are Attorneys Needed?

No. Parties may mediate with or without an attorney. The Mediator does not provide independent legal advice to parties.

Parties are encouraged to seek the advice of an attorney before finalizing an agreement. Lawyers can help parties understand the law and make informed decisions.

Is Mediation Binding?

No. By participating in mediation, parties are not committing in advance to any particular outcome. However, any agreement made by all parties is binding.

What Can I Expect During the Mediation Session?

JOINT SESSION IS HELD WITH PARTIES

First the Mediator explains the ground rules. The parties may choose to discuss their positions or may elect to meet for separate confidential caucuses.

SEPARATE CAUCUSES

The Mediator further explores the parties' positions, the strengths and weaknesses of their case and what they want to accomplish through settlement. The Mediator will walk the parties through several caucuses until a resolution is reached. The Mediator may continue to work with the parties over the telephone.

If no resolution is reached, the case is returned to the Law Enforcement Bureau for investigation and litigation.

Who Should Participate?

Because mediation is a cooperative process, all parties must participate.

When is Mediation Available?

Mediation can be requested at any time after a complaint is filed. Early mediation of a case often enhances the chance of resolution.

What Does Mediation Cost?

Nothing. OMCR provides mediation services free of charge.