

## Testimonials

The mediation process was a very simple process. MDCR made it extremely easy... everyone was extremely helpful.

— Jennifer H., Complainant

Mediation is a fair and effective problem-solving process that preserves relationships and allows parties to craft their own resolution.

— David Larson, Professor, Hamline University School of Law; Senior Fellow, Dispute Resolution Institute

‘Talk’ is not cheap. It is the essence of conflict resolution. ‘Talk’ maximizes the free will of the parties in a conflict. When the MDCR provides experienced Mediators to assist the parties in what is often a very human dispute, the results are typically better than any court case could achieve.

— Joseph Daly, Professor Hamline University School of Law; Arbitrator/Mediator

I have been impressed by the Department’s commitment to using mediation as a dispute resolution tool, and firmly believe that many employment disputes can be successfully resolved at an early stage by mediation.

— T.J. Conley, Mediator

## About the Minneapolis Department of Civil Rights

The Minneapolis Department of Civil Rights is a neutral government agency created to prevent and eliminate bias and discrimination. Our vision is a Minneapolis where all can live and thrive without limitations others place on them. We look forward to a day when there is no illegal discrimination, and to a day where there are no disparities in opportunity or status caused by factors beyond an individual’s control.

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### Minneapolis Department of Civil Rights

#### Complaint Investigations Unit

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Office Hours: 8:30 a.m. — 4:30 p.m.

Monday through Friday

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CITY OF MINNEAPOLIS  
DEPARTMENT OF CIVIL RIGHTS



MEDIATING  
YOUR  
CHARGE OF  
DISCRIMINATION

*A voluntary process in which a qualified Mediator assists the parties to reach a mutually acceptable resolution to a Charge of Discrimination*

## Charges Eligible for Mediation

The MDCR evaluates each Charge to determine whether it is appropriate for mediation considering such factors as the nature of the case, the relationship of the parties, the size and complexity of the case, and the remedy sought.

## How the Mediation Program Works

Mediation will usually take place in the early stages of the process prior to an investigation of a Charge of Discrimination.

The MDCR Mediation Coordinator will contact the parties to determine their interest in mediation program. If both parties agree to mediate, mediation will be scheduled within 30 days.

If **successful**, the Mediator will help the parties draft a Settlement Agreement. The Settlement Agreement is enforceable in court. If **unsuccessful**, the Charge will continue within the investigative process.

## What to Expect During Mediation

Mediation is usually complete in one session



Mediation provides an opportunity for parties to discuss issues in a neutral place.

and is scheduled for approximately three hours. The parties will decide whether they want to meet together or in separate rooms. Even if the parties decide to meet together, the Mediator might request a party to briefly discuss an issue individually, which is called a "caucus." Anyone, including the Mediator, can end the mediation session at any time.

A successful mediation occurs when the parties agree that the issues raised by the incident and complaint have been resolved. The Complaint Investigations unit will then close the charge.

If mediation is unsuccessful, the complaint is referred back to the MDCR Complaint Investigations Unit.

## Benefits of Mediation

- *Quick Process*

An investigation of a case takes on average one year. With mediation, parties have the ability to resolve the Charge immediately during the mediation process.

- *Parties Control the Process*

The parties themselves, not the Mediator, decide on the settlement terms. The Mediator helps the parties reach a mutually beneficial resolution. Mediation can resolve all issues important to the parties, not just the underlying legal dispute.

- *Confidential*

Information disclosed during the mediation will not be revealed to anyone, including MDCR Investigators. To ensure confidentiali-

ty, the mediation program is insulated from the MDCR's investigative process. The parties may choose to disclose whatever information they feel would be helpful in resolving the matter.

## The Mediator



MDCR Mediators are neutral volunteers who help parties clarify and understand the issues.

The MDCR uses trained third-party Mediators, qualified as Rule 114 Neutrals. A "neutral" is an individual or organization who provides a service such as mediation as stated in Rule 114.02(b). Neutrals are professionals with a wide variety of backgrounds. Some are also attorneys, and they do not represent anyone for whom they are acting as a neutral.

## Representation

While it is not necessary to have an attorney or other representation in order to participate in the MDCR's Mediation Program, either party may choose to do so.

It is important that persons attending the mediation session have the authority to resolve the dispute.