

**BC Human Rights Tribunal
Agreement to Participate in Mediation**

**Re: (Case Name:)
(Case Number:)**

A complaint under the BC *Human Rights Code*, R.S.B.C. 1996, c. 210 (as amended) and the provision of settlement services by the BC Human Rights Tribunal

We agree as follows:

Purpose of mediation

1. We are participating in this mediation in good faith for the purpose of resolving all or part of this complaint.

Authority to settle

2. Any person representing a party to the mediation process has full authority to agree to a final settlement of all or part of the complaint.

Conduct in mediation

3. Any person attending a mediation must be courteous and respectful to all other participants, be considerate of all persons, act with honesty and integrity, not discriminate, and not act in a way that would undermine the process.

Process

4. We will follow the reasonable directions of the mediator for the effective and efficient conduct of the mediation.
5. If any issues arise during the mediation regarding the process itself, we will raise the issues with the mediator as soon as practical. We will attempt to resolve these process issues in a manner acceptable to all concerned and in a manner that respects the confidentiality of the process.

Role of mediator

6. We agree that the mediator is not acting as legal counsel for any participant in the mediation.

Discussions are confidential

7. Anything said during the mediation must be kept confidential, except:
 - (a) when all of the parties consent;

- (b) when information discloses an actual or potential threat to human life or safety;
- (c) as required by law;
- (d) for the purpose of the mediator reporting to the Tribunal whether the complaint settled, there is a settlement in progress, the parties are continuing settlement discussions, or the complaint did not settle and any agreement the parties reached regarding the next steps in the Tribunal's process;
- (e) to the extent necessary to make a complaint to the Tribunal about the mediator's conduct or for the mediator to respond to a complaint about the mediator;
- (f) for the purpose of consulting with a lawyer for legal advice.

8. Anything said during the mediation will not be used in any legal proceeding, including a Tribunal hearing, unless the participant who gave the information consents.
9. During the mediation process, if participant needs to speak to a person who has not signed this agreement, they will inform the mediator, and will tell the person that the communication must be kept confidential and obtain their agreement to keep the information confidential. A participant may consult with a lawyer for legal advice during the consultation process without informing the mediator.

Information from separate sessions

10. During the mediation process, if the mediator meets with a participant in the absence of at least one other participant, the mediator may reveal to the other participants any information received in the separate session, unless a participant expressly requests that the mediator treat specific information in strict confidence.

Failure to Agree

11. If we cannot reach a resolution of all or part of this complaint by the end of the mediation, we may agree on a process for continuing our settlement efforts or we will end the mediation process.

Print your name or sign here to acknowledge you agree:

 Complainant (print name)

 Respondent (print name)

 Complainant (signature)

 Respondent (signature)

Complainant Representative (print name)

Complainant Representative (signature)

Complainant (print name)

Complainant (signature)

Complainant Representative (print name)

Complainant Representative (signature)

Mediator (print name)

Mediator (signature)

Respondent Representative (print name)

Respondent Representative (signature)

Respondent (print name)

Respondent (signature)

Respondent Representative (print name)

Respondent Representative (signature)

Dated