State of Maryland Shared Neutrals Mediation Program

Agreement to Participate in Mediation

1. All parties agree that the process of mediation does not replace an employee's right to file a grievance or a discrimination complaint, nor management's right to take disciplinary action.

2. All parties agree that mediation is a voluntary process. The parties agree to enter into mediation in good faith and with a sincere desire to reach a mutually acceptable resolution. Mediation is not a court proceeding.

3. All parties have the right to have representation or counsel present during the mediation session(s).

4. All parties understand that the role of the Mediator(s) is to facilitate an agreement that is mutually acceptable to both parties. The parties understand that before an agreement is reached, any one may withdraw from the mediation process, or the Mediator(s) may terminate the mediation.

5. Unless otherwise excluded by law or this agreement, all communications with the Shared Neutrals Mediation Program Coordinator will remain confidential in accordance with the Maryland Mediation Confidentiality Act. The parties agree that confidentiality does not extend to: threats of physical harm or to the safety of the workplace; illegal or criminal activity; or, violations of the Maryland Public Ethics Law. Confidentiality also does not extend to any written agreement to the extent that it must be disclosed under the Maryland Public Information Act.

6. The parties agree not to subpoena the Mediator(s) or otherwise compel them to give testimony in any legal proceeding, including but not limited to those in court, in an administrative proceeding, or at deposition regarding the matters discussed during the mediation session(s). The Mediators will destroy all written materials and notes developed for and during the mediation process except for any final written agreement that may be reached among the parties.

7. All parties understand that Mediators do not give legal advice and are neutral facilitators who do not serve as an advocate for any party.

8. The format of the mediation will be decided by the Mediator(s) with the input of the parties. All parties agree to abide by the agreed upon format. All parties and the Mediators agree to show each other a professional level of respect and courtesy throughout the mediation process to better facilitate a fair and reasonable resolution.

9. The Mediators do not have the authority to enforce any agreement reached. All parties acknowledge that if a written agreement is reached between the parties, it will have the same binding effect as any other written agreement. If there are concerns regarding the fulfillment of any terms of a written agreement, the parties may choose to return to mediation.

10. The Mediators have read and, consistent with State law, will abide by the Maryland Standards of Conduct for Mediators during the mediation.

Signature Date	Signature Date
Signature Date	Signature Date
Signature Date	Signature Date

Rev.10/1/14