

AGREEMENT TO MEDIATE

Mediation is an informal and confidential process to facilitate communication and collaboration for UNM staff, faculty supervising staff, and their coworkers. The process is intended to help participants better hear one another, build a mutual understanding of their workplace situation, and identify shared interests and goals in order to move forward and manage conflict constructively.

ROLES

The role of mediation participants is to openly, honestly, and respectfully discuss experiences, perspectives, and opinions of the situation, listen intently to the other participant(s), and develop options for next steps. In contrast, the role of the mediator(s) is to facilitate a constructive and deliberate process for communication. The mediator(s) are impartial and will not take sides or speak on behalf of any participants.

CONFIDENTIALITY

Ombuds Services for Staff maintains the confidentiality of the mediation. As a part of this confidentiality, all notes created during the mediation will be collected and destroyed at its conclusion. The content of the conversation and all information pertaining to the mediation will not be shared by the mediator(s) and/or Ombuds Services for Staff unless disclosure is necessary to address an imminent risk of serious harm or as required by law.

Participants agree to not call the mediator(s) as witnesses in any administrative or judicial proceedings, and they are strongly encouraged to keep their mediation conversation private when they return to their workplace.

The mediation session will not be recorded, and Ombuds Services for Staff does not maintain any permanent records of or information pertaining to the mediation.

INFORMALITY

The mediator(s) do not provide legal services, advice, or counseling. Mediation participants may access formal administrative and legal processes outside of mediation. The UNM Internal Audit Department, Office of Equal Opportunity, and Compliance Office are the central intake agencies for formal complaints. Because Ombuds Services is an informal and confidential office, the mediator(s) do not receive notice of formal complaints on behalf of the University.

A mediated agreement, oral, written, or otherwise, is not a legal contract between the participants or with UNM. Any agreement reached in mediation should informally guide participants on how to move forward. Participants with concerns about how a mediated agreement is being followed are encouraged to return to Ombuds Services for Staff for a follow-up visit and/or mediation.