

Mediation Good Faith Guidelines:

- ⇒ The mediation will not be recorded by any party and is confidential
- ⇒ All parties will trust in the objectivity and fairness of the mediator(s)
- ⇒ All parties agree that mediation is voluntary and is not adversarial
- ⇒ All parties must demonstrate a good faith effort, be respectful and truthful during mediation
- ⇒ All parties must consider and respond responsibly to proposals made by each other
- ⇒ Where there are areas of disagreement, the parties will work together to identify the barriers to agreement and will give further consideration to their respective positions in the light of any alternative options put forward
- ⇒ The mediator(s) may decline the request to mediate, issue a continuance or terminate a mediation per 101 KAR 2:230
- ⇒ The mediators will only wait 20 minutes for the parties to arrive, unless they have called to explain their delay

Mediation may not be appropriate if:

- ⇒ There are allegations of criminal activity which should be reported to the authorities
- ⇒ There are allegations of serious misconduct which the organization is bound to use a formal process to investigate
- ⇒ If the mediator believes it would be unsafe or unproductive to utilize mediation
- ⇒ There is serious misconduct alleged which may include instances of bullying, harassment, or threatening behavior which are so serious or have been so damaging to the affected party that mediation would not be appropriate