Tribunals Ontario
Human Rights Tribunal of Ontario
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Mediation/Adjudication Agreement

B E T W E E N :

_____

Applicant

- and -

_____

Respondent

1. The parties to _____ (tribunal file no.) have agreed to try to resolve some or all issues in the Application by mediation/adjudication.
2. We understand that participation in mediation/adjudication is voluntary and that the mediation/adjudication will not proceed without all parties' consent.
3. We agree to attend and participate in the mediation/adjudication session. We agree that we, and those who attend the mediation with us, will respect the process and be courteous to all participants. We agree that the Applicant and the Respondents, or their representatives, have the authority to make a binding agreement.
4. We understand that a Tribunal member will conduct the mediation. We agree that if the parties are unable to resolve the application through mediation, the Tribunal member who conducted the mediation will conduct the hearing and adjudicate the Application. Neither party may request that the Tribunal member recuse himself or herself based upon anything that occurred during the mediation.
5. The Tribunal member conducting the mediation/adjudication may meet separately with the parties during the mediation portion of the process.
6. Where the parties do not reach an agreement or the Tribunal member determines the mediation will not be successful, the Application will proceed to hearing. If further mediation is attempted after the matter proceeds to hearing, this agreement will also apply to such discussions.

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7. If the Application proceeds to adjudication, the mediator/adjudicator will not consider statements made or documents provided during the mediation unless they also form part of the evidence in the hearing. The decision will be based entirely on the evidence, submissions and case law presented during the hearing.
8. We understand and agree that mediation is a confidential process. Parties may not use documents provided by another party solely for the purposes of the mediation in evidence before the Tribunal or in any other civil proceeding. Statements made during the mediation are without prejudice.
9. We understand that the mediator/adjudicator is not compellable as a witness before the Tribunal or in any other civil proceeding and that the mediator/adjudicator's notes or records are inadmissible before the Tribunal or any other civil proceeding.
10. We understand that recording of the mediation by any party in any format is strictly prohibited.

Dated at _____, this _____ day of _____, 20 _____.

Print Names	Signatures
_____	_____
_____	_____
_____	_____
_____	_____