

**161—3.11(216) Mediation.**

**3.11(1)** Mediation shall be available once a complaint has been filed, when a party to the complaint requests mediation, when the case has been preliminarily screened in for investigation pursuant to the procedures set forth in rule 161—3.12(216), or at any time while the complaint is still open and the parties agree to participate. Mediation is a neutral, non-fact-finding process, at which parties attempt to negotiate a no-fault predetermination settlement for the purpose of amicably resolving the complaint. Mediation shall be available to all parties irrespective of representation by counsel. Mediation may encompass all issues in the case which could have been investigated by the commission including any claims for unlawful retaliation that may exist through the date of the mediation notice. If the parties agree to seek and obtain a global settlement not limited to a resolution of the civil rights issues, the mediation may be expanded to include these collateral claims.

**3.11(2)** Mediation notification shall be sent via regular or electronic mail to all parties and their respective counsels, if applicable. Notification may include detailed information on the mediation process.

[ARC 8741B, IAB 5/5/10, effective 6/9/10]