



## Cardozo School of Law-Mediation Clinic Mediation Program

The Cardozo School of Law Mediation Clinic provides confidential and neutral dispute resolution services for the Yeshiva University community. The Mediation Clinic is a resource where faculty, staff and students can seek guidance for the resolution of employment or academic issues or disputes. The mediation process is an informal, voluntary alternative to the formal complaint processes available to faculty, staff and students; it does not replace other administrative, academic or collective bargaining processes available at the University. The Mediation Clinic will provide a problem solving process guided by a neutral third party who will assist in facilitating communication between parties in an effort to reach a mutually acceptable agreement that the parties endorse.

The Cardozo School of Law Mediation Clinic shall administer the program which includes providing trained mediators to mediate faculty, staff and student complaints in a process where all parties have the opportunity to express their concerns. Its services supplement other administrative processes and formal complaint procedures that are available at the University. The mediation clinic is only in operation during the academic school year.

### Common Disputes Resolved by Mediation

Disputes with colleagues or fellow students; communication issues; workplace concerns; alleged discrimination; harassment or retaliation issues.

### Benefits of Mediation

- Voluntary
- Confidential
- Opportunity to communicate issues to counterparts
- Resolutions crafted by and acceptable to all parties
- Neutral third party directs process

### What Mediation is NOT

Mediation is not arbitration. The mediator(s) will not come up with a solution or impose it upon either party. The mediator will not choose a side and attempt to get the other party to agree. The role of the mediator is to make sure that the parties involved clearly communicate with each other and attempt to resolve their own dispute. Mediators do not solve the problem.

Not all problems can be mediated. Termination of employment, for example, is not a situation where mediation would be advised. Each situation would have to be evaluated to determine whether mediation would be appropriate.

Since the mediation process is voluntary, all parties must be willing to consider mediation in order for the process to be initiated. If all parties agree, Human Resources will review the request and determine its appropriateness for mediation. If deemed appropriate, the parties will be referred to the Mediation Clinic and a session will be arranged at the convenience of everyone involved. If a matter is deemed not suitable for mediation, the requesting party will be notified. The mediator will advise the parties of the mediation rules and procedures beforehand. The mediation process shall provide for confidentiality of the process. The mediator will advise the Human Resources on whether or not the parties reached an agreement; however, the mediation documents, to the extent permitted by law, will remain separate and confidential. Yeshiva University will not be held responsible for the implementation of any agreement reached in mediation.

Any party is free to withdraw from the mediation process at any time. If a settlement is not achieved and attempts at resolving the issue/s are unsuccessful, parties may choose to participate in the University's formal complaint process at any time.

Faculty, staff and students who are interested in participating in the mediation process can request a mediation session or refer a dispute to the Office of Human Resources at [646-592-4335](tel:646-592-4335) or [renee.coker@yu.edu](mailto:renee.coker@yu.edu) and your request will be addressed promptly.