
NAVIGATING AN EMPLOYMENT COMPLAINT:

What is the Option for Mediation When I File a Complaint with the OCRC or EEOC?

Once you file a charge with the Ohio Civil Rights Commission (OCRC) or the Equal Employment Opportunity Commission (EEOC), the agency will send a notice to your employer with a copy of your complaint. You and the employer will then be given the option to try to resolve the charge through mediation.

What is a mediator?

A mediator is an impartial, or neutral, person who does not decide anything about the charge. They are only there to help you and the employer talk through the problem to see if you can come to a solution.

If you and your employer agree to consider mediation, the formal investigation will stop and the case will be assigned to a mediator. The mediator will ask you if you want to set up a mediation session with your employer. You can refuse to participate, but mediation is often very useful and can resolve the problem.

How much information will the mediator have?

Everything you or your employer say to the mediator is confidential and will not be shared with the person investigating your charge. When you go to the mediation session, the mediator will only have a copy of your charge. They will not have other documents or information from the investigation.

What happens if we reach an agreement during mediation?

If you and your employer reach an agreement during mediation, you will be asked to sign a written document that explains everything that you and the employer agreed to resolve your charge. **Make sure that the Mediation Agreement includes details about the specific actions you and your employer have agreed to do to resolve your charge.**

For example, if the employer agreed to provide you with a reasonable accommodation, make sure that the details of exactly what the employer has agreed to provide to you are spelled out in the agreement. Or, if you agreed to get a letter from your doctor, be sure the agreement says why you are getting the letter and what facts should be included in it.

What happens if we don't reach an agreement during mediation?

If you and your employer don't reach an agreement during mediation, your charge is transferred back to the investigator for investigation.

For advice about how to handle your mediation process, call Disability Rights Ohio at 800-292-9181, and select option 2 for the intake department. You can also fill out an online intake form at disabilityrightsohio.org/intake-form.