

# Benefits

Approximately 2/3 of complaints handled by our mediation service lead to an agreement. Mediation is:



## Voluntary

The parties work together to find the best solution



## Fast

Mediation saves time, energy and resources for all parties



## Respectful

Mediation promotes direct and spontaneous dialogue in an informal setting



## Non-adversarial

There is no winner or loser

### Mediation can help all parties:

- find peace of mind
- restore or improve their relationship
- learn about human rights
- make long-term changes

# The mediator's role

## The mediator:

- **informs you** of your rights and responsibilities under the Québec Charter of Human Rights and Freedoms
- **helps you** identify your personal needs, interests, values and feelings
- **encourages you** to find creative, appropriate and respectful solutions

## The mediator provides the parties with a chance to:

- **communicate** with each other in an open and respectful setting
- **understand** each other's point of view on the facts and context of the complaint
- **reach an agreement** that satisfies them both

## The mediator can never:

- favour one party over another
- accept an agreement that:
  - is against the law
  - is made without both parties' free and informed consent
  - creates an imbalance between the parties



# Mediation

## A Free and Professional Dispute Resolution Service

The Commission is an independent organization whose mission is to promote and uphold the rights set out in the Québec Charter of Human Rights and Freedoms.

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# Mediation

**Mediation is a process for resolving disputes outside of court.**

In mediation, an impartial mediator helps you to develop a **fair agreement** that works for all parties.

## Who is it for?

Mediation services are used to settle complaints that fall under the **Charter of Human Rights and Freedoms**.

It is available for **individuals, groups, and organizations** (on behalf of victims) who want to resolve their dispute in a collaborative manner.



## Support

During mediation, you may be accompanied by the person of your choice, including a lawyer. This person's role in the mediation is limited to giving you advice.



# Examples of agreements reached through mediation

## Discrimination on the basis of sex

*An employee at a municipal swimming pool prohibited a mother from breastfeeding her baby there.*

Through mediation, the parties agreed that the mother would receive a letter of apology and an amount of money for moral damages. The city also promised to remind all employees that breastfeeding is allowed in municipal facilities.

## Discriminatory harassment

*An employee experienced discriminatory harassment at work on the basis of her skin colour and her religion.*

Through mediation, the employer agreed to review the company's discrimination and harassment practices and to identify areas for improvement. The company also apologized to the employee and paid her an amount of money for moral damages.

## Inclusive education

*A mother filed a complaint on behalf of her child, who has an intellectual disability.*

The child experienced discrimination from their school on the basis of their disability, which led to him leaving school. Following mediation, the school developed a strategy to ensure the child's return to school, including personalized support and services adapted to their needs.

# How it works

If the Commission can process your complaint, we can propose mediation right away.

## Steps

- 1 Preliminary meetings**  
The mediator meets with the parties separately.
- 2 Mediation session**  
Together with the mediator, the parties meet to develop an agreement.
- 3 Signing an agreement**  
The agreement is binding, which means that once you have signed it, you must abide by it. For example, an agreement may require a party to apologise or pay financial compensation.

If the parties cannot reach an agreement through mediation, then the Commission will continue its investigation.



Mediation is totally **confidential**. Nothing that is said or written down during mediation may be disclosed, even in court, unless both parties have agreed.