**Section 2520.415 Mediation**

a) Purpose. Pursuant to Section 7A-102(B-1) of the Act, the Department may conduct a conference for the purpose of negotiating a settlement to resolve the issues in dispute if the parties to a charge voluntarily agree to submit the charge to mediation.

b) Termination of Mediation. The Department will terminate the mediation proceedings if either party fails to comply with this Section or if the Department determines that continuation of the mediation proceedings is unlikely to result in a settlement of the charge of discrimination.

c) Extension. Prior to scheduling a mediation conference, the Department will require parties to the charge to agree in writing to extend the 365 days for processing the case pursuant to Section 7A-102(G)(1) of the Act.

d) Attorneys, Witnesses.  A party may be accompanied at a mediation conference by his/her attorney or other representative, and by a translator if necessary. An attorney for a party not previously having entered an appearance must do so at the beginning of the conference.  The parties shall not bring witnesses to the mediation conference.

e) Conduct.  The mediator or other designee of the Department shall conduct the mediation conference and control the proceedings.  The Department may limit the number of attendees who attend the mediation conference for each party.

f) Settlement Agreement. Pursuant to Section 7A-102(B-1) of the Act, no party attending a mediation conference shall be required to accept the result of a mediation. Each party to a settlement agreement will have 10 consecutive calendar days from the date of the conference to revoke his/her acceptance of a settlement. The 10 day revocation period may be waived by written agreement of the parties.

g) Failure to Settle. If the parties are unable to reach an agreement, or if a party revokes his/her acceptance of the settlement within 10 days, the Department will investigate the charge of discrimination.

h) Confidentiality. The mediation conference will be confidential. No tape recording, stenographic report or other verbatim record of the conference will be permitted.

(Source: Added at 38 Ill. Reg. 9481, effective April 21, 2014)