

Form "B"  
**IN THE MATTER OF the**  
*Human Rights Act, S.N.W.T., c. 18, as amended*

**BETWEEN:**

(the Complainant)

- AND -

(the Respondent[s])

(hereinafter the "Parties")

**AGREEMENT TO MEDIATE**

WHEREAS the Parties have agreed to have \_\_\_\_\_, an Adjudicator appointed under the N.W.T. *Human Rights Act*, conduct mediation proceedings between them for the purpose resolving matters and issues raised in relation to Complaint # 16-04A and 16-04R.

AND WHEREAS the Parties acknowledge that the Adjudicator (hereafter referred to as the "Mediator") in this proceeding, may not adjudicate in this matter should the mediation process fail;

AND WHEREAS the Parties acknowledge that if the mediation process fails, the Mediator will refer the Complaint to another adjudicator for hearing;

AND WHEREAS the Mediator wishes to ensure that the Parties have voluntarily agreed to the terms and conditions of the mediation; AND to ensure that the parties are committed to participating openly, honestly and fairly with one another in the mediation process;

THE PARTIES hereby agree that:

1. The mediation will be under the procedural control and direction of the Mediator acting as a neutral facilitator. The Parties agree to follow the rules of conduct established by the Mediator throughout the mediation process.
2. The mediation discussions shall be confidential as between and among the Parties and the Mediator and, in particular, may not be disclosed in whole or in part in a Court of Law or in any subsequent Adjudication proceeding without the express written consent of both of the Parties.
3. The Parties agree to make full disclosure, each to the other, of such information as the Mediator may require for the purpose of conducting the mediation. The

Parties shall act in good faith and, in all matters, respect the personal dignity and right of self-determination of each other.

4. The Parties further agree that the mediation process is of a non-binding nature unless the Parties agree that the terms and conditions contained in any resulting Memorandum of Understanding are to be placed in a Consent Order made by the Mediator, in her or his capacity as an Adjudicator, which is enforceable in the manner set out under section 34 of the N.W.T. *Human Rights Act*.
5. The Mediator, the Parties or any of them may terminate the mediation proceedings at any time in their absolute discretion.
6. This Agreement shall be executed by each Party and be delivered (in counterparts) to the offices of the Adjudication Panel, Yellowknife (or to the Mediator's office), prior to the commencement of mediation proceedings.
7. (here insert any other, case specific terms or conditions).

Witness:

Signature:

Witness:

Signature:

Dated at

this day of

200 .