

Agreement to extend counseling/participate in mediation

This is an agreement, by the parties signing below, to participate voluntarily in mediation under the Early Equal Employment Opportunity Complaint Program (EREC), and to extend counseling for an additional 60 calendar days. The allegations raised in the informal complaint process will be, unless specifically excluded in writing, those submitted for attempted resolution by EREC mediation.

Participation is voluntary

The parties understand that the complainant's participation is voluntary and the complainant may terminate it at any time.

Mediator has no decision authority

The parties further understand that the mediator has no authority to make decisions on issues raised nor act as an advocate or attorney for either party. The complainant may consult with a designated representative selected by the complainant at no cost to the government. The EEO coordinator is available to review the proposed settlement on behalf of the agency.

Mediator is not a witness

Each party agrees not to subpoena or request as a witness any mediator, or request or use as evidence any materials prepared by the mediator for use during mediation with the exception of the signed settlement agreement. In no event will the mediator voluntarily serve as a witness or testify on behalf of either party.

Unresolved disputes

If there are unresolved disputes at the close of mediation, the mediator and the complainant will state these disputes under "Unresolved issues" on the Outcomes of Mediation form during the final mediation session. The complainant understands that any unresolved disputes may be submitted through the discrimination complaint process. The complainant will be issued the Notice of Final Interview/Right To File a Discrimination Complaint letter upon *termination* of the mediation process or on the *60th* day of extended counseling, whichever comes first.

Confidentiality

The parties understand and stipulate that the mediation proceedings are confidential and that neither party shall disclose any of the discussions except for the limited purpose of implementation and enforcement of the Agreement.

COMPLAINANT SIGNATURE

DATE

EEO COORDINATOR SIGNATURE

DATE

DCR 2E, March 7, 1997