

## MEDIATION INFORMATION

### What is Mediation?

Mediation is an informal and confidential process in which a neutral third party (the Mediator) helps the parties to resolve issues in dispute. By helping to clarify issues, the Mediator will work with both parties to find solutions which are agreeable to both parties.

### What Cases Are Not Eligible for Mediation?

Any matter which involves the appeal of an issue relating to s. 160 (a) of the Manitoba Public Insurance Act will **not** be eligible for mediation. This shall include any matter where s. 160 (a) is the only issue on appeal as well as any matter where there are a number of issues on appeal including a s. 160 (a) issue.

### Who is the Mediator?

The Mediator is independent of Manitoba Public Insurance (“MPI”) and the Automobile Injury Compensation Appeal Commission (“The Commission”). The Mediator does not take sides. The Mediator does not impose a decision.

### The Mediation Process

There are two steps to the mediation process:

***Pre-Mediation Meeting:*** The Mediator will meet with each party separately before the mediation session. During your pre-mediation, no one from MPI will attend. Everything discussed between you and the Mediator is confidential. The Mediator will clarify the issues to ensure that your view is understood and will discuss what you hope to achieve at mediation in light of MPI legislation.

***Mediation Session:*** Both parties will be present at this meeting. The Mediator sets an atmosphere in which each party has a chance to be heard. Each party is given the opportunity to describe the issues from their perspective, as well as their needs and goals. The Mediator helps define the areas of disagreement as well as consensus and explore possible solutions. The Mediator assists the parties in reaching their own agreement. The discussions that take place during mediation are confidential.

### When does Mediation take place?

Mediation will occur after a Notice of Appeal of an Internal Review Decision has been filed and well before your appeal hearing is scheduled.

### What happens after Mediation?

If the issues are resolved, the Mediator prepares an Agreement that is binding on both parties. For any issues that are not resolved at mediation, you may continue with your appeal to The Commission. The Commission is not informed of what was discussed at mediation.

### Advantages of Mediation

- ***Informal, Respectful Process:*** Mediation promotes respectful communication
- ***No Cost:*** Mediation is provided at no cost to you
- ***Protects Privacy:*** Mediation is confidential