

**T**he Kentucky Commission on Human Rights is the state government agency created to ensure equality for all. Our primary purpose is to protect you from discrimination by enforcing and promoting the Kentucky Civil Rights Act and federal civil rights laws.

## Balance the Scales with Direct Negotiation

If you are making a discrimination complaint to the Kentucky Commission on Human Rights, you may wish to take advantage of our mediation program. Mediation is an informal process by which opposing parties negotiate a voluntary resolution of their dispute with the help of a neutral third party, a mediator.

The choice to mediate can save time. Successful mediation avoids the processes of investigation and litigation. Most mediations can be completed within 60 days and with one session that may last from one to five hours.

### Discussions are confidential

Information disclosed during the sessions will not be revealed to anyone outside the private discussions between the mediator and the involved parties. The conversations are not recorded or transcribed. Notes the mediator takes during the sessions are discarded.

### Minimum stress, maximum speed

Designed to solve a discrimination complaint with minimum stress and maximum speed, mediation provides an opportunity for all parties to discuss the issues raised in the complaint, clear up misunderstandings, determine underlying interests and concerns, find areas of agreement, and incorporate them into resolutions.

This method can result in a settlement agreement that is satisfactory to everyone. Settlement is voluntary and only occurs when the complainant and the respondent reach an agreement that both parties are willing to sign.

### How it works

After we file your discrimination complaint, we send the parties named in both sides of the complaint a request to participate in mediation. If the parties agree, the Kentucky Commission on Human Rights mediator will schedule the session within 30 days.

The mediator arranges the meeting at a time and location convenient to all participants. If the parties in the discrimination complaint decline mediation or if mediation does not resolve the complaint, the commission will proceed with the traditional investigation into the complainant's allegations.

## Mediation is voluntary

- Mediation sessions are not part of a legal process and do not require the presence of an attorney. All parties involved must speak on their own behalf. Attorneys may provide advice and consult with their clients.
- The mediator will facilitate the discussion and may suggest options for agreements.
- A mediation agreement does not constitute an admission by the party the complaint was made against of any violation of the law.
- Any agreement resulting from mediation results in the closure of the case by the commission.

### Keys to Success

- Approach the process with good faith and an open mind.
- Be willing to listen and consider all aspects of the issues.
- Be an active participant in the mediation.
- Develop the terms of the settlement agreements with the assistance of the Kentucky Commission on Human Rights mediator.

### Results that count

Mediation opens the door for participants to develop creative solutions that will give satisfaction with the process and the outcome. Successful mediation results in the quick closure of the discrimination complaint. Future complaints are avoided as participants learn to communicate better with each other.



Contact us for more information.

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EQUALITY IS YOUR RIGHT

*Mediation*



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PROTECTOR OF CIVIL RIGHTS  
VOICE FOR EQUALITY  
CATALYST FOR POSITIVE CHANGE