

The Workers' Compensation Commission offers mediation services. Many disputes can be resolved through mediation, hence eliminating the need for a hearing. Any party to a claim may request mediation in an attempt to resolve a dispute quickly.

The purpose of mediation is to:

- identify issues
- clarify misunderstandings
- explore solutions
- negotiate agreement

What is Mediation?

Mediation is an informal but structured process intended to resolve disputes quickly. Mediation is a voluntary and confidential process to resolve disputes without giving the decision-making power to someone else.

A neutral and unbiased trained mediator helps the parties identify the important issues in their dispute and decide how they can resolve it themselves. The mediator does not tell them what to do or make a judgment about who's right and who's wrong. Control over the outcome of the case stays with the parties.

Is Mediation Right for My Case?

Any dispute may be mediated. However, it is the Commission's policy that an injured person must be represented by an attorney to mediate a full and final settlement of a claim.

If represented, you should contact your attorney to see if mediation is appropriate for your case.

How Does Mediation Work?

All the parties must first agree to enter into mediation. Participation is completely voluntary.

The parties meet with the mediator either in person or by telephone. Mediation conferences are scheduled to accommodate the parties' schedules and needs.

The mediation conference begins with both parties explaining the relevant facts and identifying the dispute. The mediator then facilitates the process of identifying possible solutions that are acceptable to all parties. The parties, not the mediator, determine the solution.

Who are the Mediators?

The mediators are knowledgeable employees of the Virginia Workers' Compensation Commission who have received mediation and conflict resolution training.

Some Important Considerations

- Mediation is confidential.
- Mediation is an additional service offered by the Commission. Neither party waives any rights by entering into mediation. If the dispute is not resolved in mediation, both parties retain their rights to a hearing before the Commission.
- There is no charge for mediation.

For more information or to request mediation, contact the Commission.

Toll-free in Virginia 1-877-664-2566

<http://www.workcomp.virginia.gov>

***The Virginia Workers'
Compensation
Commission***

MEDIATION SERVICES



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