**Section 1230.60 Mediation**

a) Parties concerned with protective services units shall commence mediation as follows, unless provided for in an alternative impasse procedure under Section 14(p) of the Act:

1) In bargaining for a successor contract, *unless the parties mutually agree to some other time limit,* 30 days prior to expiration of the contract. (Section 14(a) of the Act)

2) In bargaining for an initial contract *mediation shall commence upon 15 days of notice from either party or at such later time as the mediation services chosen pursuant to* *Section 12(b) of the Act* *can be provided to the parities*. (Section 14(a) of the Act)

b) If the parties desire Board assistance in engaging a mediator, they shall file a Request for Mediation with the Board on a Board-designated form. The Board shall provide the parties with a panel of at least 3 mediators listed on the Public Employees Mediation/Arbitration Roster. The parties shall have 7 days from receipt of the list to choose one of the persons on the panel or any other person they choose to serve as mediator. If, at the end of this 7-day period, the parties have not notified the Board of their selection, the Board shall appoint a mediator.

c) Mediation shall be conducted as follows:

1) *The function of the mediator shall be to communicate with the employer and the exclusive representative or their representatives and to endeavor to bring about an amicable and voluntary settlement.* (Section 14(a) of the Act)

2) The mediator may hold joint and separate conferences with the parties. The conferences shall be private unless the parties otherwise agree.

3) Information disclosed by a party to a mediator in the performance of mediation functions shall not be disclosed voluntarily or by compulsion. All files, records, reports, documents, or other papers prepared by a mediator shall be considered confidential. The mediator shall not produce any such confidential records of, or testify in regard to, any mediation conducted by him, on behalf of any party to any cause pending in any type of proceeding.

4) The mediator shall keep the Board apprised of the status of the negotiations.

d) Compensation for the mediator shall be paid equally by the parties;~~,~~ however, *if either party requests the use of mediation services from the federal mediation and conciliation service, the other party shall either join in such request or bear the additional cost of mediation services from another source.* (Section 14(a) of the Act)

(Source: Amended at 27 Ill. Reg. 7456, effective May 1, 2003)