

Instructions to the Member in Preparing for Mediation

Please review the Guidelines for Mediation in Discipline as approved by Council. This document provides an overview of the entire process in much more detail than this short set of instructions. As you will note, your participation in mediation is voluntary.

Please ensure that you have no conflict with the assigned mediator or the individual assigned to represent the Association of Ontario Land Surveyors (AOLS). If you do, please advise the Executive Director of the AOLS immediately so that this can be addressed.

Someone will be assigned to represent the AOLS. Although they may have some potential solutions in mind, there could be many reasons that these may not be the best solution. Additionally, a lay councillor may be assigned. From the AOLS perspective, protection of the public will be paramount, but the how is much less certain. Alternative solutions are welcome.

Before entering the mediation, you should reflect on the allegations made against you and consider how problems occurred and future problems could be avoided. You may have better ideas about what a good solution looks like. The AOLS recognizes that there could be many reasons that led to the allegations but will not know without your input. Be honest and open. There is no downside, since if no solution is reached, none of the information divulged or discussed will be available outside of these proceedings. Additionally, none of the participants in the mediation will be involved in further disciplinary action, if that is deemed necessary.

Mediation procedures can take many forms and will be up to the discretion of the mediator. They could take the form of meetings with individual participants with the mediator translating between parties, it could be in the form of a joint meeting, or some other combination. Where the complainant was from a member of the public, their input will be sought as well. The job of the mediator is to find a solution acceptable to all parties. As noted in the Guidelines, you can use legal counsel should you choose. Under normal circumstances the AOLS will not likely use legal counsel at the outset.

Be aware that from a transparency perspective the AOLS will look to publish the decision since this is seen as part of a disciplinary action. They may also seek compensation for costs associated with this action. Should you choose to contest these items you should be prepared with rational.

If you are successful in reaching an agreement, Council will still have to approve the terms.

This document was prepared to help you prepare for mediation and should not be considered exhaustive or limiting as to the mediation. The goal is to find a solution that can work for all and to protect the public.