

KANATA CO-OPERATIVE HOMES INC.

MEMBER-STAFF CONFLICT MANAGEMENT POLICY

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Introduction

Conflict is a natural part of life. Therefore we find it in co-op communities. As staff are part of co-op communities, it is natural that members and staff will be in conflict sometimes. Our communities need to know how to support staff and members when these conflicts happen.

The basic principles of this policy are:

- differences are healthy and welcome
- staff and members will listen to and respect one another
- all community members share in the task of creating and maintaining safe, co-operative living and working environments
- communication is open and honest
- the co-op actively works to prevent harassment and discrimination in the community
- the co-op provides an efficient and impartial procedure for resolving conflicts and complaints
- the co-op will deal with all complaints confidentially, respecting the rights of all parties.

This policy and procedure will be given to all members and staff.

There are three parts to this policy:

1. the **roles** of each party
2. the **policy** for how to manage a staff-member conflict, and
3. the **procedure** for dealing with the conflict.

1. Roles

Role of the Co-op

Many co-ops set up member relations committees to deal with member to member conflicts. However, there are other considerations when a staff person is involved in a conflict because staff are employees. This means that staff will address all their employment-related concerns to the staff liaison person (SL) or a member of the personnel committee.

This policy assumes that there is a staff liaison (SL) and a member liaison (ML). The SL is the staff-related contact person for staff and the ML is the staff-related contact for the members. It assumes that both liaison people are co-op members and assumes that the member relations committee is not involved in a staff-member conflict.

Role of Staff

Staff are part of co-op communities, but they do not have the same standing as member. For example, they do not have the right to vote, to call meetings or participate directly in decision-making. The board employs them to work for the co-op. So when a conflict arises between a staff person and a member, the member relations policy that provides for equal treatment of both parties may not be enough. There is a need for more equitable treatment that recognizes the different standing and place that each party has in the co-op community.

Here are some examples:

- while members have 50 to 100 or more peers in the community, the staff person may have one or none
- some members may be more reluctant to speak directly to staff about a conflict matter because they feel that the staff have ultimate “power over” them because staff know their files and “control” their subsidy calculations
- staff may feel they have to go to mediation to protect their jobs while a member may not feel so vulnerable
- the action of the board should be equitable for members and staff

Boards, SLs and MLs cannot expect staff to act as a resource person for them when they are in a conflict with a member. This would be a conflict in roles and interests that could be unfair to both the member and the staff involved. It would also be very stressful for the staff.

Role of Mediators

It is important that the mediators be acceptable to both members and staff. While local co-op housing federations provide a service of mediating conflict for their members, there may be other community conflict resolution services that do not have a relationship with either the staff or the members. They may offer a more neutral mediation service in some cases.

2. Policy

- 2.1 The "Problem Solving Chart" on page 8 is a guideline for deciding the direction to follow in resolving or managing a conflict.
- 2.2 Any issue to do with a breach of the staff contract with the co-op will go directly to the board and will not be managed through this policy.
- 2.3 When there is a staff-member conflict, both the members and staff will speak to each other directly as a first step in dealing with the issue.
 - 2.3.1. Exceptions to this are cases of "harassment", as defined by the Human Rights Code, and cases of "personal harassment", as defined as:

improper comment or conduct that a reasonable person would consider offensive, embarrassing or hurtful to another.
 - 2.3.2. Staff have the right to complain about situations they believe to be harassment. There must be no reprisals or threats to staff employment for making a complaint.
 - 2.3.3. Members have the right to complain about situations they believe to be harassment. There must be no reprisals or threats to their housing for making a complaint.
- 2.4 Resolving a conflict often takes time. Many conflict situations may occur while both parties are working on solving their problem. If a party does not want to formalize the conflict resolution right away by submitting a complaint, they should document any incidents with date, time, issue and action taken.
- 2.5 The co-op will make sure that it appoints people to facilitate the resolution or management of a member-staff conflict. This will be through a staff liaison (SL) and a member liaison (ML). Their roles will be clear and known to the community.
- 2.6 If either a member or a staff person wants to complain formally about a conflict issue, they must submit their complaint in writing. The staff submits it to the SL and the member submits it to the ML.
 - 2.6.1. If literacy is an issue, the staff or member may contact the SL or ML and report their concerns verbally. The SL or ML will write down this information and the member or staff who is making the complaint will then sign.

- 2.6.2. If there is no written complaint by either of these two methods, there will be no action.
- 2.6.3. Each party has the right to a detailed, written summary of the complaint against them. If a complaining party does not want this to happen, their complaint cannot be followed up.
- 2.6.4 The co-op will act on all complaints immediately. If a response will take more than 3 days, a specific account of the delay must be kept for review.
- 2.7 All people named in a complaint have a right to respond to the accusations made against them.
- 2.8 Staff and members may bring a support person to all meetings and/or mediation sessions that are a part of resolving the conflict. This support person cannot be anyone named by either party in the conflict.
- 2.9 Mediation will be recommended in cases of a *shared problem*. The ML and SL will make the decision and then advise the parties that they strongly advise mediation.

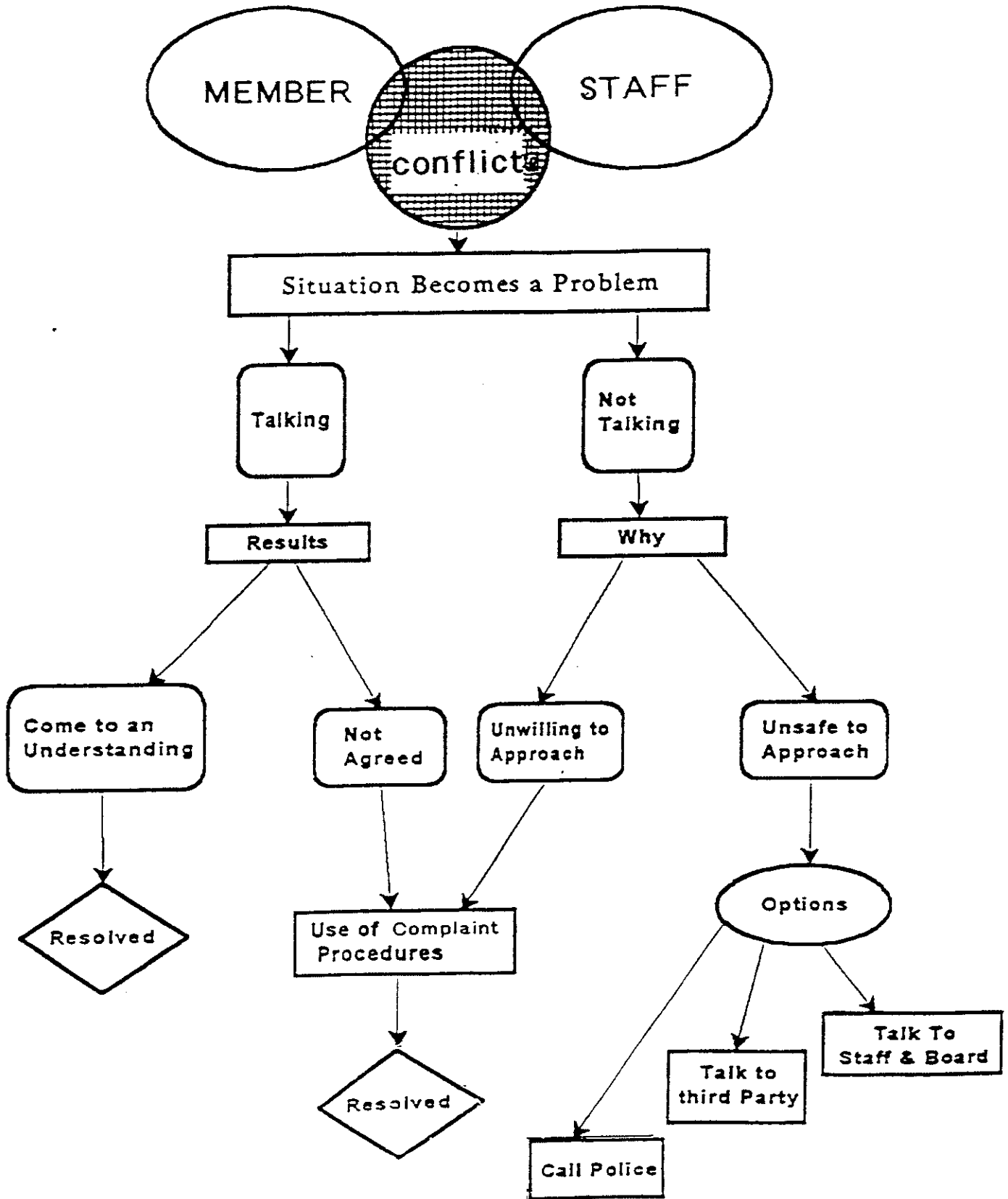
A *shared problem* is a conflict due to personality differences, different styles of communication, gaps in understanding of member or staff roles, or similar matters. A problem is not shared when one party is clearly causing a nuisance to or harassing another.

If the liaison persons decide that the conflict is not a *shared problem*, then:

- 2.9.1. When there are incidents of harassment (as defined in 2.3.1.) that seriously break co-op by-laws or policies, or federal, provincial or municipal laws, the liaison persons will not recommend or follow up mediation. The ML/SL will make a recommendation to the board on how it could deal with the behaviour.
- 2.9.2. In such cases, staff have the right of refusal to work under the *Occupations Health and Safety Act*.
- 2.10 The parties facilitating the conflict, the staff and members involved, and the board of directors will keep confidential all meetings, minutes, written documents and information about the conflict.

- 2.11 When a complaint is filed, the SL and ML will speak only to those named in the complaint.
- 2.12 If any SL, ML or board member involved in resolving the conflict has a conflict of interest, they must declare it right away and withdraw from the process. If they do not, the board will declare the conflict and remove them from their position.
- 2.13 All member orientation and interview sessions will include a part on dealing with conflict.
- 2.14 The co-op commits itself to offering yearly member and staff “conflict resolution” and “diversity” education opportunities.

Problem Solving Chart



3. Procedure

3.1 When a member and a staff person are talking but cannot agree on an issue, they have the right to ask for mediation.

3.1.1 The staff person or member may write to their liaison outlining:

- a) what they think and feel is happening
- b) specific details about events, behaviours or situations that are a problem for them
- c) whether they are willing to take part in a conflict mediation
- d) how else they might help to resolve or manage the situation.

3.1.2 The SL and ML assess the situation. If they cannot see an obvious solution, they will arrange mediation with a third party that all the people in the conflict accept.

3.1.3 The staff and member decide whether or not there will be a written agreement from the mediation. They also agree, as part of the mediation, whether or not they want this agreement on file in the co-op. If there is no agreement on documenting and filing of the mediated agreement, there will be no record filed. Each party has the right to present their problem as paragraph 3.2 outlines.

3.2 When a staff and member are not talking to one another, they must write down clearly why they are not talking and give it to their liaison person.

3.2.1 The complaint will set out:

- a) what the party thinks and feels is happening
- b) specific details about events, behaviours or situations that are a problem for them
- c) suggestions on how they want the situation to be dealt with
- d) how they might help to resolve or manage the situation
- e) names of other parties who know about the conflict.

- 3.2.2 The SL/ML will then meet with the staff/member to discuss the situation. They will meet first with the person making the complaint.
- 3.2.3 The SL and ML will meet on their own to discuss how to address the issue. They will carry out the following steps:
- a) Give both parties a detailed, written summary of the complaint. With permission of the staff person or member, they will pass on the original written complaint.
 - b) They will follow-up with all people named in the complaint.
 - c) They will also review any relevant documents on file in the co-op office about any previous co-op conflicts involving either or both parties.
- 3.2.4 The SL/ML may decide that there is no *shared problem* but that there is a situation which behaviour of one party is causing (See policy 2.3.1). In this case, the SL/ML will report to the board immediately in writing with a recommendation for action. The offended party will also not have to meet alone with the offended party for any reason.
- 3.2.5 If the SL/ML believe that there is a *shared problem*, they will recommend mediation. If the party (s) refuses this, the party refusing must give a detailed explanation of why they are doing so, and a clear alternative to manage the conflict. Options at that point may be:
- a) to follow other suggestions the parties have made in their initial written report on the conflict
 - b) third party contact for all co-op business if one or both parties refuse mediation. That is, the staff and member never meet alone. They must arrange to meet by contacting a designated contact person. The board approves this solution. Both the staff person and member will receive a letter to explain this arrangement
 - c) to leave the issue until the parties are willing to work it out, as long as their conflict is not having a negative impact on other members of the community and on the work of staff.
- 3.2.6 If the situation is so serious that there is a concern for physical safety, any party may call the police at any time. Staff or members may wish to make

criminal charges if the complaint involves property damage, assault or sexual assault.

- 3.2.7 The ML and SL will prepare a written summary of their findings and recommendations. These may be recommendations to the staff and member only or they may be recommendations to the board. The staff and/or member who gave a written complaint and all those named in the complaint will have the right to review and comment on the findings.
- 3.2.8 Records of the conflict management process will be placed in both staff and member files.

Passed by the Board of Directors of Kanata Co-operative Homes Inc. on this 27th day of May, 1997.

President

Secretary