

CONFLICT RESOLUTION TASK FORCE
Report to ERUUF Board

11/27/09

The CONFLICT RESOLUTION TASK FORCE (CRTF) has drafted several documents to present to the Board and the congregation. These documents include recommended changes to the Bylaws, draft policies to be approved by the Board and guidelines that may be built upon and adopted by the Health Congregation Committee. Guidelines will not be presented at this time since they do not require board or congregational approval.

Recommended Bylaws Changes

Draft policies to be considered by the Board

Each of our policies has a preamble to set the tone for the policy following.

- Complaint/Grievance Policy
- Conflict Mediation Policy
- Disruptive Behavior Policy

Charge to the Health Congregation Committee

We propose creation of a Healthy Congregation Committee (HCC) to be mandated in the Bylaws . We are recommending at least a 3-member team plus a minister and a board representative serving ex-officio, but the structure and selection of the committee not be stated in the Bylaws.

Other recommendations:

That the Board ensure there is a good Personnel Policy that reflects ERUUF values.

That the Health Congregation Committee and ministers lead the Fellowship in a process of discovering our covenant of behavior toward one another and facilitating the expression of covenant in individual ways.

These documents are presented in the following order:

- **Board Report..... (page 1)**
- **Bylaws Recommendations..... (page 2)**
- **Healthy Congregation Committee Charge..... (page 3)**
- **Conflict Resolution Policy..... (page 5)**
- **Complaint/Grievance Policy..... (page6)**

RECOMMENDED BYLAWS CHANGES:

To the Bylaws task force

Peter Aitken, Beth Harvat, W. Richard Jamison, Ross McKinney, Georgie Searles

In article ARTICLE II. MEMBERSHIP, change the word "Revocation" to "Suspension".

In Section 4. Removal from Membership, change item c. to read

c. by Board approval of a recommendation from the Healthy Congregation Committee.

Membership may be suspended for disruptive behavior only by the Board upon recommendation from the Healthy Congregation Committee. Suspension may be considered only after following clearly defined procedures in written policy and must provide a means of reconciliation. Should a member have their membership suspended, they shall have a right of appeal through a conflict resolution process specified in Board policy.

striking the words "or revoked" from the last sentence.

In ARTICLE IV. GOVERNING STRUCTURE, Section 1. The Congregation, strike item f, "to make final decisions regarding revocation of membership, when a revocation decision has been appealed by the member."

Add language somewhere about establishment of a standing committee, the Healthy Congregation Committee. The following is wording we are offering. Also refer to the Charge to the Healthy Congregation Committee in a separate document.

Healthy Congregation Committee - The Healthy Congregation Committee will serve as a standing committee to be a resource for ERUUF members, friends and staff to help manage conflicts and grievances in a healthy manner. The Committee will include at least three members elected by the congregation from members of the of the congregation in good standing nominated by the Nominating Committee. Also serving on the committee as non-voting, *ex-officio* members will be a Board Member appointed by the Board and a minister appointed by the Lead Minister, who may appoint her/himself. The Committee will report to the Board of Trustees. Term limits and other details are established in Board policies.

Revised sections would read as follows:

ARTICLE II. MEMBERSHIP

Membership in ERUUF is an affirmation of support for the Mission and Ends of the Congregation. Members agree to participate in the life of ERUUF, including financial support. Because membership is covenantal, a bilateral relationship between an individual and the congregation, it should be treated seriously.

Suspension of membership should not be used as a tool to suppress dissent, but continued membership should be contingent on honoring the covenant with the Fellowship as a whole and its other members as individuals.

Section 4. Removal from Membership. Names may be removed or suspended from the Membership Roll for any of the following reasons:

- a. request of the member concerned;
- b. lack of financial support without a waiver, following a process clearly described in policy; or
- c. by Board approval of a recommendation from the Healthy Congregation Committee.

Membership may be suspended for disruptive behavior only by the Board upon recommendation from the Healthy Congregation Committee. Suspension may be considered only after following clearly defined procedures in written policy and must provide a means of reconciliation. Should a member have their membership suspended, they shall have a right of appeal through a conflict resolution process specified in Board policy.

Healthy Congregation Committee (HCC)

The formation of a Healthy Congregation Committee should be mandated in the Bylaws, but constitution and selection of the committee should be defined in policy instead, so that these procedures may be changed as we gather experience. We propose election by the congregation at an annual meeting. It should be a standing committee with year-round responsibilities (as described in the charge) and should give reports (respecting privacy) to the Board and to the Lead Minister(s). Committee members would recuse from any case for which they have a vested interest in the issue or persons involved.

Mission

The mission of the HCC is to:

- Help improve the culture surrounding conflict so that ERUUF approaches conflict in a healthy way that encourages openness, respect, communication,

healthy debate and collaboration. This effort may include but will not be limited to providing conflict mediation and to providing healthy communities training to the Board of Trustees (BOT), staff, committees and ERUUF as a whole.

- Be a resource for ERUUF members, friends and staff to manage conflicts and grievances in a healthy manner.
- In the rare event that disruptive behavior must be addressed, work to evaluate, address and manage the disruptive behavior according to the Disruptive Behavior policy and recommend, to the BOT, any Board actions that need to be taken.
- Maintain and update policies on conflict, grievance, and disruptive behavior. These policies are subject to approval by the BOT.

HCC Members

Members The HCC will include a minimum of three members of the congregation. In addition, a BOT member and a Minister will serve on the committee as non-voting, *ex-officio* members. Training for the HCC team shall be identified as an expense in the budget.

Conflict of interest HCC members may find that they cannot be impartial concerning an issue brought to the HCC. If this is the case the member will excuse him/herself from participating in the issue.

Consensus Process The HCC will strive to make decisions by consensus. If 2/3 of the HCC decides that an immediate decision must be made, they may revert to voting. A 2/3 majority is then necessary for any action.

Election The nominating committee will appoint the HCC members. The nominations must be approved by the BOT and by a vote of the congregation. To be appointed to the HCC, a candidate must be a member of the congregation in good standing. The *ex-officio* BOT member shall be appointed by the BOT. The *ex-officio* minister will be appointed by the lead minister who may appoint her/himself.

Term Each member will serve for two years, and can serve two consecutive terms. Terms will begin on July 1 and end on June 30. Members may return to the team after two years off. Terms may be extended to three years, with approval by the BOT, to allow for continuity if more than two members are scheduled to rotate off in a given year. The terms for the *ex-officio* members are one year with no limit for the number of consecutive terms. The BOT may appoint interim members to the committee as needed if the workload becomes too great, if an HCC member must recuse him/herself from an issue or if an HCC member resigns. Interim members will serve for a term not exceeding one year which expires on June 30. If the HCC team is actively resolving a conflict that extends past June 30 in a given year, to insure continuity HCC team

members who are engaged in the resolution of the conflict may remain on the HCC team, with approval of the BOT, until the issue is resolved.

Conflict Mediation

Preamble

Conflict is present in all communities. It is not the presence or absence of conflict that demonstrates the health of the community, but the way that conflict is managed. In healthy communities, conflict leads to new ideas, creative solutions, and increased vitality. As Unitarian-Universalists, we embrace and celebrate cultural diversity and diversity of ideas and opinions. We therefore have a special obligation to address and engage in conflict in ways that allow for the deep truths of our individual experience, hold us accountable for our words and actions, demonstrate respect for one another, and ultimately strengthen our community and our relationships with each other.

As a Fellowship, we explicitly value both the individual and the community, knowing that individuals thrive in healthy, supportive communities and that healthy communities are supported by the loving and just behavior of individuals. Since no one person has hold of the whole Truth, we aspire to address conflict directly by listening openly to the ideas and experiences of others, attending to the meaning and feelings within others' words so we can better understand their message. Since no one person has hold of the whole Truth, we aspire to speak honestly and clearly, from our own experiences, and with kindness and respect. And since not all conflicts can or should be resolved, we seek not only solutions but a process of respect, reconciliation, and understanding, especially in those cases in which we cannot come to agreement.

Conflict Mediation Policy:

Most conflict in our congregation can and should be addressed by direct conversation between the parties involved. However, differences or misunderstandings that go unresolved and descend into prolonged conflict can threaten the social fabric of our church. The guidelines developed by the Healthy Communications Committee and taught throughout the Fellowship can be used to help make conflictual conversations thoughtful, caring, and productive. When more assistance is needed, the HCC is available to support conflict mediation throughout the Fellowship as described below.

Procedures:

1. If conflict escalates or becomes divisive or harmful, any member/friend or group in the congregation can request the conflict mediation services of the Healthy Congregations Committee, whose members are selected for their mediation skills and knowledge of various aspects of church functioning. A single member, the entire HCC, or any combination thereof can be employed in conflict mediation. The HCC will work directly with the members/groups in conflict, assisting them in a process of deepening understanding and reaching resolution and/or compromise.

a. The HCC will report to the Board on the nature and outcomes of all conflicts for which they are called into service.

b. The team will determine a record-keeping format that provides an abstract of events while allowing for privacy considerations.

c. Members will excuse themselves from any conflict for which they have an inherent bias based on the individuals or topics involved.

2. When possible, conflict mediation will work towards mutually beneficial solutions that take into account the perspectives of the different parties. However, the HCC is not limited to achieving compromise. They are empowered to make recommendations, negotiate behavioral agreements, and proactively work to support the health of the Fellowship.

a. When they believe that a situation exists in which behaviors are dangerous or disruptive, they can invoke the disruptive behavior policy as needed.

b. The HCC is also empowered to solicit assistance as needed, drawing on the expertise and wisdom available in our congregation, requesting assistance from the UUA, or requesting the involvement of other community resources.

c. In general, privacy considerations will be honored, but the team must also be able to call on resources needed to address any level of conflict productively.

Complaint/Grievance Policy

Anyone may approach the Board, the Staff, and the Ministers about issues they have. At the same time, we as congregants recognize that the individuals in these positions must be treated with respect if they are to serve well in their positions. This policy is designed to maintain the right to respectful treatment while not constraining the right of congregants to lodge a complaint or grievance on issues of importance to the health of our community. A complaint or a grievance can arise when a person or group feels that policy or expectation has been violated or that a person has been wronged in some

way. The Healthy Congregations Committee will strive to respond to complaints and grievances in a way that balances fairness and transparency with the need for effective action and the needs for privacy and emotional safety of those involved.

Filing a Complaint or Grievance

Individuals with presumed complaints/grievances are first encouraged to talk to that Board Member, Staff person, or Minister directly. If this is cause for discomfort, individuals are encouraged to bring a friend, a neutral party, or a member of the HCC along for support. If, after this attempt is made, the results are deemed inadequate, a formal grievance/complaint can be made by submitting it in writing to the Healthy Congregations Committee. Complaints/grievances need to be submitted on a first-person basis; anonymous grievances cannot effectively be acted upon. At the same time, the need for privacy and discretion is recognized for the emotional safety of all parties. The HCC will assess the situation and assist the aggrieved person in developing a course of action. Each situation is unique, and will be assessed as such, but most complaints/grievances will take the following form:

1. Member of the HCC speaks with the complainant/grievant and other affected parties to assess the situation.
2. A member of the HCC may offer mediation between the affected individuals.
3. A plan of action may be written by the parties involved and facilitated by the HCC. The plan of action will include specifics regarding how to deal with the issue, and specifics for how to assess that the plan has been properly followed.

This mutually agreed plan could include any of the following:

- a. Specific policy change
- b. Regular mediation by a Minister or member of the HCC
- c. Mediation by parties outside our congregation
- d. Involvement of other outside experts or resources
- e. Formal review of Staff member or Minister
- f. No action (agree to disagree)
- g. Collaborative agreement to address the issue

Some types of grievances or complaints are not addressed by this policy and fall under different areas of purview in our community. For example, an unresolved issue with a Staff member may most properly be brought to the attention of their supervisor.

Personnel grievances are to be handled in accordance with a separate personnel policy. Policy issues are dealt with by the Board. Concerns about sermons might be appropriately addressed directly with the minister or with the Worship Associates.

Evaluation issues should be dealt with by the appropriate evaluating entity. Each complaint/grievance is unique, and the HCC will facilitate a process that best addresses the needs of those concerned.

In the interest of transparency and healthy communications, all written complaints and grievances will be summarized in a report to the Board, providing an abstract of events while following privacy considerations.

Disruptive Behavior Policy

Preamble

In accordance with our denomination's principles, we covenant to promote the free and responsible search for truth and meaning and also to affirm the right of conscience and the use of the democratic process, both within our church and outside of it. We wish to promote an open exchange of opinions among a wide variety of individuals, viewpoints, and beliefs. At the same time, we believe our congregation must maintain a safe atmosphere in order for such openness to exist. We strive to create this community of tolerance while not honoring destructive behavior by allowing it to continue. Real or perceived threats to the physical, emotional, and/or spiritual well-being of individuals or the freedom to express one's beliefs and opinions safely must be addressed firmly and promptly.

To the degree disruptive behavior compromises the health of this congregation, our actions as people of faith will reflect this emphasis on safety. Disruptive behavior is defined as the behavior of an individual within the Fellowship which raises concerns for the physical and emotional safety of children and adults, interferes with Fellowship activities, and/or harms the Fellowship's ability to serve both present and potential future members.

To that end, the following shall be the policy of the Eno River Unitarian Universalist Fellowship to address these issues.

POLICY - Management of Disruptive Behavior

If there is no immediate danger or threat of harm to persons or property, the following guidelines and steps should be followed to manage disruptive behavior.

If occasions of disruption or complaints of potentially destructive behavior arise and immediate response is not required, the situation will be referred to the Healthy Congregation Committee. The committee will use its best judgment and honor the following guidelines.

STEPS FOR MANAGING DISRUPTIVE BEHAVIOR:

1. COMMUNICATION

Anyone may refer disruptive behavior to the Healthy Congregation Committee in writing. This communication needs to come on a first-person basis (ie. from the person(s) who found the behavior to be disruptive, not from a third party).

2. ASSESS THE SITUATION

In accordance with published Procedures and Guidelines, the Healthy Congregation Committee evaluates the situation and recommends appropriate action.

The committee determines what kind of action or support is most appropriate, including but not limited to no action (the reporting individual is informed), conflict resolution, mediation or referral to community services.

All determinations of the HCC will be summarized in a monthly report to the Board of Trustees and the Lead Minister.

3. DEVELOP PLAN FOR RESOLUTION

Resolution of an issue concerning disruptive behavior may be achieved with various levels of response:

LEVEL I: RECOMMEND BEHAVIOR CHANGE

Two committee members meet with the individual in question to communicate the concerns and recommendations of the committee.

If the committee deems it necessary, a contract for clearly-defined parameters of behavior should be developed and signed at this time. If such a contract cannot be agreed upon, level two or three may be enacted immediately with no further process.

The committee may inform the individual in question that continued disruptive behavior may lead to exclusion from activities and/or suspension of membership.

If a plan for behavior change is warranted, the committee shall inform the minister of its recommendations before acting.

LEVEL II: EXCLUSION FROM SPECIFIC ACTIVITIES

If the undesirable behavior continues in spite of preceding steps, the Committee may recommend that the offending individual be excluded from specific Fellowship activities for a designated period of time. The reasons for exclusion and the conditions of return will be made clear in a letter to the individual given to the individual by the minister and one member of the committee.

LEVEL III: SUSPENSION OF MEMBERSHIP

If all other efforts have not remedied the disruptive behavior, the HCC may recommend to the Board that the individual in question be suspended from Fellowship membership and excluded from the Fellowship premises and all Fellowship activities.

The person whose behavior was referred for suspension may make an appeal to the Board, presenting his/her concerns or perspective, at the time the recommendation is considered by the Board.

The recommendation for suspension of membership, including the process for appeal to the Board, will be communicated in writing to the individual in question. This communication will include clear descriptions of the conditions and procedures for reconciliation and the time parameters of the suspension. The individual will be provided contact information for a person on the HCC with whom he/she may speak concerning reconciliation, conditions of return, assistance in meeting those conditions if appropriate, etc.

4. RECONCILIATION AND RETURN TO FELLOWSHIP

At the end of the suspension period specified in the written notice to the individual, he/she may apply for reinstatement by sending notice to the HCC.

Consideration of reconciliation and return to fellowship will be based upon the conditions described in the letter of suspension and information regarding the individual's behavior during the time of suspension.

END