OV-CAOS
OTTAWA VALLEY COMMUNITY ARTS

Policy Type:	**Human Resources**	Policy Number:	**HR-10**
Policy Title:	**Conflict Resolution**	Initial Policy Approval Date:	**Feb 2022**
		Last Review/Revision Date:	
		Year of Next Review:	**2026**

This policy conforms with best practices as articulated by the Human Rights Commission and the HR Council for the Nonprofit Sector. And the highlighted notes are verbatim from their website.

The conflict resolution policy should promote open communication and foster a safe environment for addressing differences of opinions. There should be a clear statement protecting employees from retribution for raising legitimate complaints and concerns using the conflict resolution process.

OV-CAOS is committed to sustaining a positive work environment in which employees work constructively together. The conflict resolution policy and process has been established as a foundation for supporting and ensuring a positive work environment.

This policy applies to the resolution of all conflicts, problems or disagreements between employees, independent contractors, volunteers, community participants, interns, mentors, vendors, service providers and partners involved in any activities of OV-CAOS (referred to collectively in this policy as “participants”), who are not covered by another more specific policy of OV-CAOS.

The conflict problem resolution policy is intended to:

- Provide the opportunity to resolve a conflict or complaint quickly, fairly and without reprisal;
- Improve communication and understanding between all participants; and between participants and their supervisors;
- Ensure confidence in management decisions by providing a mechanism whereby management decisions can be objectively reviewed;
- Support a positive work environment by allocating supervisors’ responsibility for preventing and resolving conflicts and complaints; and,
- Identify OV-CAOS organizational policies and procedures that need to be clarified or modified.

All complaints, appeals and requests for conflict resolution shall be fully investigated and a reply shall be given as quickly as possible.

Penalty or retaliation against a participant who initiates conflict resolution or makes a complaint, or participates in a conflict resolution investigation shall not be tolerated and will be subject to disciplinary action.

Where a conflict is with the Artistic Director, and the participant considers it difficult or inappropriate to raise the concern with the Artistic Director, the participant may request a meeting with the Chair of the Board or a designated member of the Board. In these instances, this policy shall be read to substitute that person for the Artistic Director.

Procedures

Although not required, participants are encouraged to follow the informal approach to problem resolution prior to making a formal complaint.

Informal conflict resolution and complaint process

An informal complaint process involves discussing the issue with an immediate supervisor to collaboratively understand and resolve work-related issues with co-workers or the supervisor. The policy and procedures may outline specific steps and objectives, communication styles and behaviours that employees and supervisors should use in order to effectively resolve conflicts in the informal complaint process.

1. Participants who experience a work-related conflict or who have a complaint should first attempt to discuss the matter with their supervisor. If this may be difficult or inappropriate, the participant may request a meeting with the next level of management or the Artistic Director to discuss the problem. If the supervisor is the Artistic Director, they may request this meeting with another Senior Manager or, if necessary, with a Board member.

A one-up review involves discussing the issue with the one-up supervisor, again to collaboratively understand and resolve work related issues.

2. The supervisor, manager or Artistic Director will analyze the merits of the complaint or conflict resolution request, and within thirty (30) working days will meet with the participant to inform them of the proposed plan of action. Should an investigation require more time, all participants will be notified in writing.

3. If the participant is not satisfied with the informal resolution of the problem, they may proceed informally to the next level of management, or proceed with formal conflict resolution process.

Formal conflict resolution and complaint process

A formal complaint process involves making a formal (written or oral) complaint to an appointed "conflict resolution manager" (often the HR professional on staff or the executive director), who then conducts an investigation of the complaint and recommends a resolution. It is important to outline the scope of the investigation, and how issues of confidentiality will be handled during this process. Confidentiality can be a particularly sensitive aspect of conflict resolution resulting from harassment complaints.

Some voluntary organizations involve the Board or Board Executive in conflict resolution, as a final step in the formal complaint process. If involving the Board in the complaint process, it is advisable to specify only one or two members to participate in the process, in order to both maintain confidentiality and Board focus on strategic, rather than operational, activities. Often it is the Chair who takes on this responsibility, or alternatively a board member who has conflict resolution experience or training.

1. Participants who have a complaint or require management intervention in relation to a work-related conflict and wish to initiate the formal process must set out their description of the situation, with supporting details. This description may either be provided in writing or orally to the supervisor who will record the description in writing. The participant will be given the opportunity to review the description in writing and will be asked to sign off if in agreement.

2. The supervisor will investigate the merits of the complaint or conflict resolution request, including interviewing the subject of the complaint. The supervisor may consult with other members of senior management.

3. Within thirty (30) working days of receiving the complaint or conflict resolution request, the supervisor will complete the investigation and prepare a written response, which may include a recommendation for mediation or other restorative process. The supervisor will forward a copy of the response to both the participant who made the complaint and the one who was the subject of the complaint. The participants will be requested to sign and date a copy to confirm he or she has received the reply and agrees or disagrees with the supervisor's plan of action.

4. If the participants agree with the recommended plan of action, the supervisor will send a copy of the signed reply to both participants and a copy will be retained by the supervisor.

5. If the conflict or complaint has not been resolved to the participant's satisfaction, the supervisor will forward the

complete file, including the conflict resolution request or complaint, documentation of relevant factual information, and the recommended resolution, to the Artistic Director and/or appropriate senior management. If the supervisor is the Artistic Director, they may forward the complaint to a senior management colleague or board member.

6. The Artistic Director, senior management or board member will review the material provided and investigate any relevant issues identified in the file and any newly discovered evidence or information that be brought forward by either participant involved in the complaint. The Artistic Director/senior manager/board member will forward a written response to both participants either concurring with the previous resolution or proposing an alternative resolution.

Mediation may be used in a non-unionized or unionized organizaton. Mediation is a process involving an objective third party. The mediator (the objective third party) is often the HR professional on staff or another employee who is trained in conflict resolution, or can be an external professional mediator. The mediator guides the conflicting parties in considering alternative resolutions.

7. The decision and recommendations made by the Artistic Director/senior manager/board member will be final. A copy of the signed reply will be retained.

8. Any staff involved in receiving or investigating complaints, including those interviewed during the investigation, will protect the confidentiality and privacy of persons involved in a complaint, subject to the requirements of a fair and thorough investigation and resolution process. These requirements shall include informing the person alleged to have engaged in the conduct in question to be advised of the nature of the allegations being made.

Arbitration is most commonly used in a unionized environment, and involves a professional arbitrator who considers both sides of a conflict and issues a binding decision. Arbitration is a costly process, and may not be a viable option for many voluntary sector organizations. A cost benefit analysis should be conducted to determine the value of using arbitration, rather than other legal actions, to resolve conflict. Arbitration is a lengthy, difficult and costly process. At the end of the process, the parties have relinquished control to a third party and the prescribed resolution may be less than favourable. Arbitration should always be a last resort when resolution by every other possible means has reached an impasse.