

Old Grace Housing Co-operative

Dispute Resolution Policy

The purpose of this policy is to resolve disputes among members, or between members and the Co-operative, in a manner that is satisfactory to all parties and maintains a harmonious atmosphere in the community.

(See OGHC Bylaws 6.19a and 6.19b)

Administration:

1. The Board will appoint a standing Member Relations Committee, or may refer the duties of such a committee to any standing or special committee under special circumstances.
2. The Member Relations Committee shall be made up of an uneven number of members with a minimum of three, appointed by the Board from a list of members who:
 - a) have indicated their willingness to serve
 - b) are not current members of the Board
 - c) are not current members of the Membership Committee.
3. The Chair of the Member Relations Committee is selected by the Committee members and is charged with the responsibility of:
 - a) ensuring that proper procedures are followed in dealing with disputes
 - b) ensuring that all necessary records are kept
 - c) reporting to the Board at least twice annually on the Committee's activities
 - d) reporting to the membership at least once annually on issues dealt with
4. The Member Relations Committee will help members resolve conflicts that occur in the community.
5. In addition, the Member Relations Committee will have an educational role, helping members understand what makes for a good community. In this way, the Committee will help to prevent conflicts arising.

Procedure for Registering a Complaint

A. Dispute Among Members:

1. Should a member have a personal dispute with another member or members, he/she is encouraged to attempt to resolve it with the other parties through a respectful discussion.
2. A member who has tried to resolve a problem unsuccessfully may bring the issue to the Chair of the Member Relations Committee in the form of a written and signed grievance (*see Schedule A - Complaint Form*).
3. If the Member Relations Committee agrees to mediate the complaint, the procedure will be as follows:

- a) One or two impartial members of the committee will meet with the parties to clarify the problem, evaluate possible solutions, and work together to find a solution agreeable to both parties. Their focus will be on the areas of agreement instead of those of disagreement, looking at the issue from the angle of what is right rather than who is right.
- b) The agreement worked out will be documented (*see Schedule B - Agreement Form*), signed by both parties and witnessed by the Committee members present.
- c) A follow-up meeting to evaluate the effectiveness of the solution may be scheduled at an agreed-upon time.
- d) Copies of the complaint and the Agreement will be filed in the confidential files of all parties involved

B. Violation of a Co-op By-law, Policy or House Rule:

1. Any act by a member, non-member resident, or a guest which violates Co-op bylaws, policies or house rules or the terms of the Occupancy Agreement may be the subject of a grievance.
2. Grievances must be lodged by members of the Co-op, though a member may initiate a grievance on behalf of a visitor or household member.
3. A complaint against a guest or non-member of a household will be charged to the co-operative member of the household concerned, but does not imply guilt on the part of the member him/herself.
4. Complaints must be in writing (*see Schedule A – Complaint Form*), and delivered to the Chair of the Member Relations Committee within a reasonable time. The policy or rule alleged to have been violated must be specified, along with sufficient detail to identify the circumstances and the member’s prior efforts to resolve the matter. Complaints which the Member Relations Committee does not feel that it can resolve, will be referred to the Board of Directors.
5. The Member Relations Committee will give a copy of the complaint to the member charged who will be given an opportunity to rectify the situation. This resolution will be documented using *Schedule B – Agreement Form*.
6. If the member charged disputes the details of the complaint, he/she is entitled to a hearing with the Member Relations Committee.
7. The Chair of the Member Relations Committee will appoint a team of two members of the committee to investigate, hold a discussion with the members involved, and draw up an agreement (*see Schedule C - Resolution Action Agreement*). This Agreement includes a date for compliance, along with the signatures of the members involved in the complaint and the Committee members present.
8. The Member Relations Committee will follow-up by the agreed-upon date to ensure that the Agreement has been carried out as planned.

9. Copies of the complaint will be filed in the confidential files of all parties involved, together with the results of the hearing and the Agreement made to resolve the issue.

C. Dispute with the Co-operative:

1. This section deals with a dispute between a member(s) and the Co-operative arising from the affairs of the Co-operative and not related to proceedings for termination of a membership in the Co-operative. The dispute could be with the Board of Directors as a whole, with a committee appointed by the Board, or with a staff member employed by the Co-operative.
2. If a member(s) is in dispute with the Co-operative, he/she will first contact the Member Relations Committee for advice in documenting the complaint.
3. If the member(s) is willing, the Member Resolutions Committee will try to resolve the dispute, as described in Section A of this policy. If this is not possible, the matter will be referred to the Board of Directors.
4. If the dispute cannot be resolved (or if the member is in dispute with the Board of Directors), the Board shall create a three member arbitration committee to resolve the matter. The composition of the arbitration committee and the procedures to be followed are described in OGHC Bylaw 6.19(b).

D. Referral of Unresolved Complaints:

1. If one or more members involved in the complaint refuse to sign the *Resolution Action Agreement*, or do not comply with the terms of the Agreement, then the matter will be referred to the Board of Directors by the Member Relations Committee.
2. Complaints referred to the Board by the Member Relations Committee will be dealt with in the following manner:
 - a) The Member Relations Committee will provide a full written report to the Board and to each of the members involved in the complaint.
 - b) All parties to the complaint will have the opportunity to be heard by the Board.
3. The Board has the final authority to resolve disputes and ultimately to terminate the right of a member to remain living in the Co-op for breach of the Co-op's by-laws, policies and rules.

E. Confidentiality

1. OGHC staff members, the Member Relations Committee and the Board of Directors will keep confidential all information relating to complaints submitted to them, or that they are made aware of.
2. Meetings of the Member Relations Committee or the Board, where member complaints are being discussed, are not open to the general membership.

3. Members of the Member Relations Committee will be removed from the Committee for any breach of confidentiality.

F. Conflict of Interest and Bias

1. The Member Relations Committee and the Board of Directors will make every effort to ensure that the persons designated to investigate a complaint are unbiased.
2. Any member of the Member Relations Committee or Board with a conflict of interest or bias must declare that conflict and abstain from contributing to any decision-making concerning that complaint.