

KCH GRIEVANCE PROCESS

Last updated: 7/16/2020

Relevant KCH policies:

- PL-BOD-0004.3
- PL-MB-0004

Process Steps in Order of Escalation

- Informal actions (written reminders and notices, talking it through with members individually and at house meetings)
- Formal Mediation via the Restorative Justice Conferencing Process with qualified facilitation
- Formal Grievance Process (Formation of 3 member panel, investigation, evidence, witnesses testimony, panel determination)
- Member appeal of Panel's decision

STEP 1: Attempt to resolve conflict individually (informal actions)

1.1 ADDRESS THE CONFLICT DIRECTLY WITH THE OTHER MEMBER.

The member experiencing an issue with another member should initiate conversation so that the behavior is acknowledged. It's important to have a one-on-one conversation with each other so that any miscommunication can be cleared up. Listening to each other fully. Make sure to restate what the other one says to ensure that you are actively listening and so that the other party feels heard. Try to find a mutually agreeable solution. Learn to compromise and work together to make sure both parties' needs are met.

- An example: housemate A is frustrated by how loud housemate B plays music. Housemate A should tell housemate B that they are feeling frustrated and work out some sort of solution together.

If no resolution can be found or if you are unable to initiate communication, move to step 1.2.

1.2 ADDRESS THE CONFLICT AT A HOUSE MEETING.

An interpersonal conflict that cannot be resolved one-on-one should next be addressed at a house meeting. Any party to the conflict can request to have the conflict placed on the meeting agenda. All parties involved in the conflict should be aware ahead of time that the conflict will be discussed at the house meeting and all parties should attend the meeting.

At the meeting, the whole house should listen carefully to all conflicted members, and seek to discover compromise solutions together that may resolve the conflict. If this does not result in a satisfactory resolution, move to step 2.

STEP 2: Restorative Justice and Conflict Resolution process with trained facilitator(s)

KCH GRIEVANCE PROCESS

Last updated: 7/16/2020

The goal of this step is to help KCH members develop their own mutual agreement between all parties involved in the conflict. This is attempted through an interactive facilitated process called Restorative Justice Conferencing.

2. FORMAL CONFERENCE.

2.1 Any member may request a facilitated Restorative Justice and Conflict Resolution process to address the conflict with the support of a qualified facilitator. This request is to be made in writing to the Board Vice-Chair or their co-op's Board Liaison. A facilitator will be selected, and will schedule and conduct the RJCR process.

2.2 RJCR must be agreed to by both parties. If this does not result in a satisfactory resolution or if one or more parties refuse the RJCR process, move to step 3.

STEP 3: Formal Grievance Filing and Three Member Panel Investigation

The goal of this process is to determine whether KCH has legal standing and/or a responsibility to take corrective action against any involved member. This will be determined by investigating the offense and considering if there has been any violation of KCH policy, house norms, or laws. The method of this determination is via investigation and impartial ruling by the Three Member Panel.

3. FILING A FORMAL GRIEVANCE.

3.1 Grievant submits written complaint. Written complaints should include a detailed explanation of the offensive event(s), the date(s) of the occurrence, a list of witnesses present and any other formal documentation available (e.g. police report, hospital record). Grievant submits a copy to the Board Vice-Chair or Board Liaison, as well as the Executive Director.

3.2 Notice is given to all interested parties of the pending grievance panel investigation. Interested parties may provide evidence and witnesses. Board Vice-Chair, Board Liaison, or Executive Director will inform all parties, in writing, via email and delivered letter, of their rights and expectations

3.3 Board Vice-Chair or Board Liaison assigns a panel of three non-interested and qualified KCH members to conduct interviews, review evidence, and oversee the formal meeting.

- Once panel is selected, all parties involved in grievance will be notified and given the names of the panelists.

3.4 Three Member Panel conducts investigation.

For all Three Member Panel investigation meetings, all involved members have the right to:

- Be accompanied by a colleague or non-legal representative;
- Have reasonable accommodations made for disability other special requirements;

KCH GRIEVANCE PROCESS

Last updated: 7/16/2020

- Notify the panel of any relevant witnesses in support of their case.

Ahead of the each investigation session, all parties should:

- Advise the Panel of the person accompanying you (if you wish to be accompanied) and any special requirements (e.g. disability, language requirements); Please note that the Panel reserves the right to refuse to accept a companion whose presence would undermine the grievance process;
- Supply any evidence with the written grievance;
- Confirm attendance;
- Advise the panel of any witnesses that they wish to be interviewed.

During the meeting, parties will be given the opportunity to explain the nature of their complaint and what action they feel should be taken to resolve the matter.

All Three Member Panel meetings will be attended only by the Panel members, the individual KCH member being interviewed, and any accompanying individual that has been requested by the member being interviewed, unless refused by the Panel.

3.5 The Panel issues a formal outcome letter to all parties and the BOD Chair or Vice-Chair, via written notice. As part of the outcome, parties will be told of any action offered to the Board as a resolution.

THREE MEMBER PANEL PROCESS TIMELINE

Every attempt will be made to meet deadlines outlined below, but scheduling conflicts may occur.

The Grievance Process will be held as soon as is reasonably practicable and, subject to any need to carry out prior investigations, usually within 14 calendar days of the receipt of your written complaint.

1. Board Vice-Chair or Board Liaison will send notice of complaint to all parties within 48 hours of the receipt of the grievance, and request that parties provide evidence and a witness list within 3 days.
2. Three Member Panel will conduct investigation and make determination within 14 days of complaint.

STEP 4: Appeal

4. FILING AN APPEAL

4.1 Participants may appeal the final decision of the Three Member Panel by submitting a request to the Vice-Chair or any Board Liaison. The appeal should include detailed concerns about the original ruling, and an explanation for why the decision should be revisited.

KCH GRIEVANCE PROCESS

Last updated: 7/16/2020

- Appeals should be submitted in writing and include a clearly stated reason for why the member believes the decision of the panel is incorrect or unjust, and why the decision should be changed.
- Appeals must be made within one week of the three member panel's decision
- Appealing member may include any evidence or explanations they would like to share to support their appeal.
- Appeals should be at least a paragraph in length and no longer than 10 pages.

4.2 Once received, the Board of Directors will schedule and conduct a formal review of the concerns laid out in the appeal. The Board of Directors will investigate as deemed necessary. The decision of the Board following any investigation will be final.

- Appealing members will have the option of appearing before the Board of Directors during the scheduled meeting to review the appeal. Appearing before the Board is not required.
- The Board of Directors will deliberate in private before making their final decision.