

Conflict Resolution

Statement of Purpose:

The Concord UU Earth-Centered Spirituality Group is dedicated to providing an emotionally and physically safe environment for members and participants to practice and explore earth-based and pagan worship as well as relate socially with others who have similar interests.

Policy

Members of the ECSG will conduct themselves within the guidelines of the ECSG Bylaws, policies and code of ethics. Violations of these guidelines will be resolved fairly and humanely, through the procedures outlined in this policy.

Procedure

The members of the group will abide by the following behavioral covenant:

1. A member who is concerned about another member's behavior is encouraged to speak directly to the person in question and attempt to work out an understanding.
2. The conflicted members will not draw other group members into the conflict, except for the limited purpose of obtaining a "reality check" about the situation at hand.
3. If unable to resolve the issue on their own, the conflicted members may request mediation by a member of the Membership Committee. If no member of the committee is qualified or feels comfortable as a mediator, the committee will arrange for a third party to mediate the conflict.
4. If unable to resolve the issue through direct conversation or mediation, the member(s) may request a hearing by the Membership Committee.
5. This process may also be used by non-members who have a complaint against a member of the group. Non-members with a concern about a member will be directed to the Membership Committee for assistance in resolving the complaint.

Requesting a Hearing

1. The request for a hearing will be made in writing to the chair of the Membership Committee, and will include the following information:
 - a. The name of the individual(s) about whom the complaint is being made.
 - b. The dates or approximate dates of specific incidents that support the complaint.
 - c. Details about what happened.
 - d. The reason the incident(s) should be of concern to the group.

2. If the complaint concerns the committee chair, the written request shall be submitted to another member of the Membership Committee, rather than the committee chair. The committee will then appoint a temporary chair for the purpose of processing this specific complaint.
3. The committee chair will immediately distribute the complaint to the other members of the committee.
4. If the complaint is brought by, or concerns a member of the Membership Committee, including the chair, the committee will temporarily appoint another voting member of the Group to the committee, for the purpose of processing this specific complaint.. The replacement committee member must be acceptable to both the complainant and the subject of the complaint. The committee member who is the focus of the complaint will temporarily step down from the Membership Committee while the complaint is being processed
5. The Membership Committee will conduct a preliminary review within 14 days of receiving the complaint, to determine whether or not the complaint describes a violation of the group's ethics, policies or bylaws.
 - a. If the complaint does not describe unethical behaviors or violations of policy or bylaws, the complaint will be dismissed by the Membership Committee and the committee will notify the complainant in writing.
 - b. Otherwise, the committee will proceed with processing the complaint.

Complaint Processing

1. The Membership Committee will deliver a written copy of the complaint to the accused member.
2. The accused member will respond to the complaint, in writing, within 30 days.
 - a. If the accused member acknowledges the legitimacy of the complaint and waives a hearing, the Membership Committee will apply the appropriate consequences, as described in the "Possible Outcomes" section of this policy.
 - b. During this 30 day period, further written evidence may be submitted to the committee by either party, subject to the Rules of Evidence described below.
 - c. If the accused member does not respond to the complaint within 30 days, the complaint will be considered Proven by Default and the Membership Committee will apply the appropriate consequences.
3. If the subject of the complaint refutes the complaint, the committee will schedule a hearing within 14 days of concluding the initial 30-day evidence-gathering period.

Hearings

1. To ensure transparency, hearings may be attended by other members of the group. However, observers may only speak if they are offering corroborating evidence at the request of either party, or if directly questioned by a member of the Membership Committee.

2. It is the responsibility of the Membership Committee chair to move the hearing forward and to ensure the rules of evidence are observed.
3. If the subject of the complaint does not attend the hearing or refuses to participate, the complaint will be considered Proven by Default and the Membership Committee will apply the appropriate consequences.
4. If the complainant does not attend the hearing or refuses to participate, the complaint will be dismissed.
5. At the conclusion of the hearing, the Membership Committee may deliberate in private if it wishes.
6. The decision of the Membership committee will be determined by a majority vote.
7. The Membership will inform both parties of their decision within 48 hours of the hearing.

Rules of Evidence

1. The only admissible evidence is observed behaviors and actions.
2. Alleged or suspected motivations are not admissible.
3. Name-calling, such as the characterization of either party as “mean-spirited” or “petty,” is not admissible as evidence.
4. Hearsay evidence, without the corroboration of a direct witness, is not admissible.
5. Both written and oral testimony must pertain to the actual matters dealt with in the complaint.
6. Counter accusations of inappropriate behavior that is not directly related to the incident it hand are not admissible as evidence. Counter accusations may be dealt with through the filing of a separate complaint, and must be heard separately.

Outcome options for a founded complaint:

- Admonishment/Warning of the offending member.
- Suspension of the member from private and/or public group activities for a specific period of time.
- Expulsion of the member
- Expulsion of the member and prohibition from attending public events

Expulsion of the member is warranted when:

- The physical or emotional safety of other members of the group are at significant risk.
- The behavior of the accused member has resulted in significant or repeated disruptions to the harmony, well-being, or goals of the group.
- The behavior of the accused member has resulted in significant or repeated harm to the group’s public image/reputation, or to the group’s relationship with the Concord UU church.

Automatic Suspensions

1. A member will be suspended from the group, without a hearing, in the following circumstances:
 - Arrest for an offense against the person or property of another member of the group or a participant at one of the group's public events.
 - Arrest for a violent or sexual crime against any member of the community.
 - Arrest for an offense involving church property or group assets.
2. When a member is suspended, he/she is removed from the group's electronic communications, and may not attend private group events. The member's "membership year" for the purpose of meeting leadership requirements is also suspended, pending resolution of the criminal proceedings.
3. If the members is not convicted for the alleged offense, and wishes to remain a member of the group, his/her membership will be reinstated. However, any member may then bring forward a complaint and request an internal hearing, per group policy.
4. If the member is convicted of a violent or sexual crime against a community member not associated with the group, and wishes to remain a member, he/she must follow the procedure outlined in the Membership Policy for admission of parolees and sexual offenders.

Automatic Expulsions

A member will be expelled from the group without a hearing, in the following circumstances:

- Failure to disclose parolee or sexual offender status before earning membership.
- Conviction for a criminal offense against the person or property of another member of the group or a participant at one of the group's public events.
- Conviction for a criminal offense involving church property or the group's assets.