Standing Rules

03 – Administration

Revised August 2020

Standing Rule 03.04

Resolutions Process

Purpose
To establish the Organization's policies regarding the reporting of any grievances that individuals, or member organizations may have with the Organization and/or official representatives of the Organization, while maintaining integrity and respect through effective communication.

Definitions

Grievances: Grievances are formal complaints of an alleged violation of the InterPride bylaws, standing rules, or policies, or the federal or local laws governing InterPride. Grievances may be raised by member organizations or individuals affiliated with InterPride, including, but not limited to, those in attendance at InterPride events, delegates, volunteers, officers, committee co-chairs, committee, board members, and Global Advisory Council (GAC) members. Grievances do not include interpersonal disputes or local conflicts within or between member organizations.

Complainant: The Complainant is the person who submits the grievance.

Subject: The Subject is the person or party that the grievance is about.

Restorative Justice: Restorative Justice is a process designed to bring together all those affected by conflict, provide a safe environment for the expression of emotion, allow participants to come to a shared understanding, identify creative ways to deal with conflict, and provide opportunities to rebuild damaged relationships and strengthen teams within the organization and membership.

Section 1 - Pre-filing

Any grievance filed must state steps that the Complainant has taken to resolve the problem. To facilitate positive resolution, people contemplating filing a grievance may request that the Governance Co-Chairs facilitate the use of the mediation or restorative justice processes.

Section 2 - Notification Procedure

This procedure explains the process by which an individual or member organization must provide notice of their wish to lodge a grievance with the Organization:

A. The party initiating the grievance should fill out the form available on the Organization’s website, that will then be sent to one or more of the Co-Presidents and/or the Co-Chairs explaining, in writing, the nature of the problem, attaching supporting documents and suggesting the remedy sought. A grievance may not be filed on behalf of another person.

B. Every grievance must clearly state the bylaw, standing rule, procedure, or law that was allegedly violated, and include evidence of the alleged violation. Additionally, every grievance must state what action(s) the complainant has taken to resolve the alleged problem.

C. Unless the grievance is against one of the Presidents and/or Co-Chairs, the person who received the grievance shall share it with the other President(s) and Co-Chairs.

D. The Governance Co-Chairs will determine whether the problem is within the scope of matters that InterPride can handle, and if it is, whether the submission contains evidence to support the alleged violation. The Co-Chairs will notify the complainant of this determination within 14 calendar days of receiving the grievance. If the Co-Chairs determine that the grievance shall move forward, the Co-Chairs shall send a copy of the grievance to the subject.

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Section 2 – Grievance Procedure
The following procedure will be followed once the Co-Chairs have made the determination that the Grievance meets the above requirements:
The Co-Chairs shall reach out to the complainant and subject, separately, to discuss whether the grievance should be sent to the Governance Committee for a decision or referred to an alternative dispute resolution (ADR) process through which the parties will participate in mediation or restorative justice. An ADR process may not occur without consent of both parties. Any grievance against InterPride shall be resolved by the Governance Committee and may not be referred to ADR.
   a. Committee decision: If it is determined that the grievance shall be sent to the Governance Committee for a decision, the following steps shall be taken:
      i. The Governance Co-Chairs shall provide the subject of the grievance with 10 days to submit a response.
      ii. The Co-Chairs shall send the grievance and response to the Committee and schedule a meeting, no fewer than five and no more than 30 days after sending the documents.
      iii. The Committee shall meet, either in person or electronically (email) to discuss the Grievance and any response presented.
      iv. At this meeting, the Committee shall make a decision regarding the complaint, directing resolution as needed, and advise both parties and the Board.
      v. If either party is unsatisfied with the decision, they can appeal, in writing, to the Board within 10 business days. The Board shall render a final decision within 20 calendar days of receipt of the appeal.
   b. Alternative dispute resolution (ADR): Parties shall have the option of participating in a facilitated mediation or restorative justice session to try to resolve the problem themselves.
      i. Mediation: If the parties elect to engage in mediation, the following steps shall be taken:
         A neutral party shall be identified by the Governance Co-Chairs to serve as the mediator. This person must be someone who has been formally trained to mediate disputes on behalf of InterPride.
         The mediator shall have an individual conversation with each party to discuss potential outcomes that would satisfy them.
         The mediator shall schedule a remote meeting with both parties to discuss potential resolutions. If the parties are unable to reach a resolution after one meeting, they can elect to schedule a follow up meeting. Once the parties reach an ultimate resolution, the mediator shall memorialize the agreement in a “Resolution Statement,” which both parties shall sign, and send notice of the resolution to the parties, the Governance Co-Chairs, and the Board. If either party determines that they are unable to reach a resolution, the mediator shall send notice to both parties, the Governance Co-Chairs, and the Board that the mediation failed and that the grievance will be closed with no resolution reached.
      ii. Restorative Justice: If the parties elect to engage in a restorative justice process, the following steps shall be taken:
         A neutral party shall be identified by the Governance Co-Chairs to facilitate the session. This person must have been formally trained in restorative justice.
         All parties involved in the grievance must consent to participating in a restorative justice process, founded on the Organization’s mission, vision and values. The parties can choose to add additional frameworks such as the Toltec Four Agreement.
         All parties must enter the process willing to acknowledge unintended harm or negative impacts by their actions.
Standing Rules

The neutral facilitator shall schedule a remote meeting with the parties. Through this process participants will work to take responsibility for their actions, understand the harm they have caused, work to change their behaviour or approach, and establish mechanisms and strategies that prevent future harm. The parties’ conversation(s) should be solution-focused and forward-facing. The process's primary purpose is to find a collaborative path forward after the grievance, if possible. If the parties are unable to reach a resolution, they may elect to continue the process through a series of follow-up meetings. Once the parties reach an ultimate resolution, the facilitator shall memorialize it in a “Resolution Statement,” which both parties shall sign, and send notice of the resolution to the parties, the Governance Co-Chairs, and the Executive Board. If either party determines that they are unable to reach a resolution and that they are no longer willing to participate in the process, the facilitator shall send notice to both parties, the Governance Co-Chairs, and the Executive Board that the grievance will be closed with no resolution reached.

Section 3 – Conflict of Interest
No person(s) that is a party to a grievance, has or had a personal or professional connection to the events giving rise to the grievance, or is personally invested in the outcome of the grievance, shall serve as a mediator or take part in the decision-making processes. If either party believes that someone involved in the process has a conflict of interest, they should raise that concern with the Co-Chairs. The Committee will make the final decision as to whether a member will be asked to recuse themself.

Section 4 – Enactment and Precedence
This standing rule shall take effect immediately upon passage and replace all other standing rules, motions, resolutions and other policies enacted by the Board of Directors and Membership dealing with the subject matter contained herein.