Dealing with Disagreements and Conflict:

The Gabriola Commons' Guide to Conflict Management and Respectful Relationships

Date: March 4, 2025

Introduction

Disagreements and *conflict* are inevitable in any relationship, and volunteer organizations are no exception. Constructive disagreement and diversity of opinions are extremely valuable in exposing the Commons and its teams to different viewpoints, new ideas, and new ways of being, and should not be avoided. In addition, respectfully embracing differences among people empowers learning and relearning. While differences in ideology, worldviews, or beliefs among Commons *participants* are to be expected on occasion, there are positive ways to prevent disagreements from becoming conflicts and constructively manage those that do.

Application:

This guide applies to all participants and volunteers at the Commons. It is intended to be read and used along with the *Gabriola Commons Agreement* (Appendix A), the Gabriola Commons' Guide to Conflict Management Glossary of Terms (Appendix B), and the Commons' consensus decision-making document (Reference A). Words in this guide defined in the Glossary are highlighted in *italics* the first time that they appear in the text.

Purpose:

The purpose of this guide is to outline the roles and *responsibilities,* protocols, and procedures available for Commons participants to access should they wish to address any conflict or *adverse behaviour* personally experienced during their volunteerism/participation in the Commons. The goal is to address conflict proactively and resolve or manage differences in a positive, consensus-focused way such that people are respected, perspectives are considered and the legitimate needs of everyone involved are valued. Well-managed conflict can strengthen relationships, build teamwork, and enhance the Commons' reputation as a safe, inclusive and enjoyable place to volunteer and participate.

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1. Roles and Responsibilities

Individuals

Conflict is a fact of life and can arise at any time. Knowing this enables volunteers and participants to take steps to effective conflict management. Approaching conflict as a normal occurrence helps to turn potential disagreements into clear communication and improved processes. This means that everyone in the Commons has a role to play in preventing conflict and a shared responsibility to manage their disagreements proactively and early using a consensus approach so that difficult issues can be addressed before they escalate into conflict and harm to those involved and or the Commons.

Although there is personal responsibility on the individual Commons participant, certain entities within the Commons have other roles and responsibilities.

The Trustees

The Commons Trustees (Directors) are responsible for the legal oversight of the Commons, and under the BC Societies Act, are "responsible to manage or supervise the management of the activities and internal affairs of the Society (Reference B). The "Society" is the Commons. In addition, directors in BC must "exercise the care, diligence, and skill of a reasonable person in the circumstances" and may be held responsible if a human rights complaint of *discrimination* is brought forward. Although the first step in resolving conflict does not generally reside with the Trustees, it appears that legally there is a duty to ensure a *harassment*-free environment even though the Trustees' published mandate does not include any oversight in conflict management including addressing harassment or *bullying*.

The Process Team

The Process Team is a group of Commons volunteers mandated to work "collaboratively with teams, groups and individuals to support healthy interpersonal relationships, clear communication, compassionate understanding and successful conflict resolution" (Reference C). The Process Team supports the Trustees and all volunteers/participants in promoting positive relationships and assisting individuals in addressing conflict and disagreements experienced while participating in the Commons. They offer a safe, neutral, and confidential space for

individuals to voluntarily explore how to restore damaged relationships, and what options may be available to do that. The Process Team can be contacted at process@gabriolacommons.ca

Commons Council

The Commons Council meets monthly to share information amongst the team representatives and any persons present e.g. tenants and community members. The Council has a role in disagreement and conflict management through role-modelling respectful meeting behaviour and promptly and respectfully addressing any adverse behaviour observed during meetings, particularly when diverse opinions/ideas or controversial topics are discussed.

Team Representatives and Members

Team representatives are informal peer leaders who voluntarily speak on behalf of their team at Council and other events/activities and may have assumed additional coordination/facilitation and project responsibilities in carrying out their team's mandates. The team representative or another person within the group may be seen as a trusted team member to provide guidance and support to team member(s) experiencing conflict and who may wish to talk to someone. Similar to the Commons Council, team representatives and all team members have a shared responsibility to role model respectful behaviour while participating with their peer team members.

2. Confidentiality and Privacy

Sometimes in conflict situations, the involved people are not concerned about *confidentiality.* In many conflict situations, however, confidentiality is crucial. Information released about a situation could result in profound consequences including worsened personal and work relationships, damage to reputations, loss of volunteer opportunities, concerns about violence, and more. Because of the possible risks, when a conflict situation is discussed with others, it is important to have an open dialogue about expectations of confidentiality. Below are some questions that may help think through the confidentiality of a situation (Reference D):

- Is this a sensitive issue?
- Who needs to know about the issue and details to assist or manage the situation?
- Are others already aware of this situation?
- Could talking openly about the conflict make matters worse? If so, in what ways?
- If this situation is discussed with another person, might they have to report it? For example, in BC, if one suspects a child or youth under the age of 19 is being abused or neglected, there is a legal duty to report this to a child protection worker.

Commons participants involved in a conflict situation should expect that their personal and sensitive information will be kept confidential by all others involved unless there is a legal reporting requirement on the part of the Trustee Foundation. Only those individuals who need

to know should be privy to their confidential data. If there is a risk of a breach of confidentiality, then all persons potentially impacted should be advised of that risk, the degree of harm, and their consent to release information obtained.

Tips to ensure confidentiality (Reference E)

- Discuss the *dispute* in a private location.
- Discourage gossip.
- Do not assume anything. Maintain neutrality by coming into a situation with an open mind and an objective sense of judgment.
- Be careful with email communications and who is copied on emails. An email can be quickly distributed to those not involved in the issue by accident.

3. Timelines & Communications

Timing is a key factor in conflict management but knowing when the right time is to approach someone in a conflict situation is not easy. Too soon and heightened emotions can get in the way, but take too long, and people can emotionally disconnect themselves from the relationship, no longer feel it is worthwhile to engage, no longer feel any *accountability* or their perspectives have become entrenched and resistant to change. Ideally, the best time is once emotions have cooled down and within the month at the latest (Reference F). Nonetheless, it is better to attempt conflict management at any time rather than to avoid dealing with it.

Once conflict management procedures are underway, good communication is required between the various people involved to support the process. Often these are emails sharing what has happened, meetings to set up for discussions, summary notes of agreements made, and so on.. What has happened is usually especially important to those involved, therefore, timely responses help build confidence in the process, and trust in the Commons that it is truly interested in restoring good relations with people. There are no specific guidelines on timelines, but a suggestion is to follow basic business email etiquette for emails. For example, responding within 1-2 days of receiving an email, acknowledging receipt of an email. Letting people know when they can expect a more fulsome response is also reassuring. Communication (means of communication, who communicates with whom, number of email/text communications, what to communicate and when, etc.) and timelines should be discussed at the onset of entering into the conflict management process so that expectations are managed. Note that email communication is not a replacement for face-to-face discussions and engagement.

4. Preventing Conflict – Maintaining Respectful Relations

The best way to successfully manage conflict is to prevent it from occurring in the first place. The Commons functions and thrives through respectful and caring relations between volunteers/participants. This includes treating the Commons' land and facilities with extreme care and respect (modified from the Gabriola Commons Agreement Appendix A). How

volunteers and participants choose to communicate and interact with each other during meetings, informal discussions, and volunteer activities (for example work bees, helping with Commons events like the Fall Fair, Big Garage Sale etc.) goes a long way in creating a respectful environment and culture for all. Volunteers or participants whose behaviour is problematic, who do not seem to get along with others, and whose manner seems inflammatory, negative, or bullying, make it challenging for everyone else to stay focused, positive and engaged. These are toxic volunteers who need appropriate guidance to align their behaviour to what is expected of a Commons volunteer/participant, or if the adverse behaviour is ongoing and serious, to have relations broken off with them or other *sanctions* imposed.

Tips for respectful relations

- Respect that people may have diverse ways of being including different communication styles and temperaments.
- Use neutral, respectful tones, words, and body language when interacting and communicating with others.
- Listen with humility to other people's ideas and seek to understand what is being said.
- Be curious about others' opinions and feelings and listen without judgment before asking respectful questions or seeking clarification.
- Share airtime in discussions, meetings, and other encounters and ensure that others have an opportunity to speak or participate should they choose.
- Use positive language when providing feedback about another person's ideas/projects or disagreeing with their perspectives.
- Keep confidential matters confidential in that personal matters discussed or shared at a meeting remain within the group.
- Never use discriminatory, harassing, bullying, or otherwise offensive language in any situation and by any communication means including virtual meetings, email, or social media.
- Be aware of one's default style with respect to conflict and disagreements (for example – collaborative, competing, avoiding, accommodating, compromising) and emotions when faced with conflict (irritation, anger, frustration, dismissive etc.) and how these may impact one's ability to address conflict or disagreements.

5. Managing Conflict

Commons volunteers, participants and Trustees are encouraged to contact the Process Team with any questions regarding conflict management or for guidance.

For an Individual

Suggested General Steps to Effective Conflict Management (Adapted from Reference G)

1. *Be proactive.* Early resolution is the most effective. When an issue arises, listen and reflect on what is happening. Consider how difficult issues can be addressed before they escalate to conflict.
2. *Seek to understand all sides of the issue.* There is always more than one way to interpret a situation. Reflect on what the issues may mean to everyone involved, and what is at stake.
3. *Initiate dialogue with the other person (Self-resolution - negotiation).* Do this by listening and asking questions of the other person to help gain a greater understanding and help better address the central issue.
4. *Know when to ask for help.* Enlisting the help of a neutral third party such as a team representative or another trusted volunteer or consulting with others, like the Process Team, can prevent conflict escalation and provide emotional support.
5. *Assess the available options.* There are several ways to handle conflict such as negotiation, (with the assistance of a neutral third party as above), *conflict coaching*, and *facilitated discussion*. Consulting with the Process Team can help with exploring the options to decide the best possible way to manage the situation.
6. *Take action.* This means using your knowledge and resources to take action and could including developing conflict management skills through conflict coaching, taking time to prepare for a difficult meeting or preparing for a facilitated discussion.
7. *Reflect on the situation.* What has been learned? What has the situation shown about yourself, others? What can you change in the future to prevent similar situations?
8. *Work to rebuild damaged relationships (when ready and possible).* Addressing conflict does not have to be about identifying a winner or a loser. Instead, it can be about being open to exploring differences and solutions for working together. At the very least, work to maintain a respectful manner with everyone involved.

<u>For the Organization</u>

<u>Suggested General Steps to Address a Volunteer with Problematic Behaviour Who is a Commons Member</u>

"Dismissing" a volunteer should be a last resort, and alternatives should be sought before doing so. The Commons Constitution and Bylaws provides a process to expel a Commons member. Bylaw Part 2 para (9) states that Commons *members* can be expelled by a special resolution passed by the members at a general meeting. The special resolution must state the reasons for expulsion and the member given an opportunity to be heard before the vote is taken (Reference H). The Bylaws are silent on dismissing *volunteers* who are non-members. Below is a suggested process to consider following if a volunteer is deemed problematic for the Commons:

1. *Seek guidance early.* Consult with other trusted Commons participants who have had experiences with the person, the Process Team, Conflict Management experts, and/or

Trustees as required. There should be an agreed-upon course of action or plan and designated person (s) to address the problematic behaviour.

2. *Assess the problem.* Is the behaviour the result of a lack of competency, training, skills, knowledge, a lack of understanding of what is expected of the volunteer? Might a long-time worker need a break? Look for alternatives to dismissing the volunteer.
3. *Communicate the behaviour to the person.* If any of the above is accurate, communicate the behaviour to the person and offer remedial training, review expectations, offer another volunteer position, or recommend that they take a break (e.g. re-train, re-assign, re-vitalize). Give the person a chance to improve. Document the discussion.
4. *If the harmful behaviour continues,* have a face-to-face communication with the volunteer. Consider the involvement of another volunteer, the Process Team or an external facilitator who has the trust of all involved. Document the discussion but not the details of any conflict management meetings except the outcomes.
5. *If the harmful behaviour is still continuing*, consider whether dismissing the Commoner might be the most appropriate action. Consult with the Trustees before taking action to dismiss the volunteer as organizational support is critical, as there could be legal ramifications. Trustee approval by consensus must be obtained to dismiss a volunteer member before a special resolution to expel the volunteer member is submitted at a general meeting. According to Bylaw Part 3 para (13) only the Trustees or the Coordinating Council can call a general meeting.
6. *If the consensus decision is to dismiss the volunteer,* provide written notice to expel the volunteer with justification to the person and the Commons members, and invite the person to speak.
7. *Hold a general meeting*, consider the special resolution and the volunteer's presentation, hold a vote by the members.
8. *Provide the outcome of the vote* to the volunteer and the Commons members in writing.

6. Addressing Refusal to Engage in Conflict Management

Individuals involved in dealing with conflict must want to be engaged and give their consent to do so. *Stonewalling* is when one or more of the people involved in the conflict refuse to engage in the conflict management process. This shows disrespect to the others involved and allows the underlying conflict to grow. Stonewalling solves nothing. Instead, it creates negative feelings and damages relationships (Reference I).

Commons participants in conflict situations are expected to engage to resolve/manage differences and conflict. Trying to understand why a person is stonewalling may help to get them engaged. But at the end of the day, a person can only change themselves and cannot make the other person, who is unwilling to engage, to care or disclose.

Continued stonewalling may be a reason for the Commons to *break off relations* with the person and impose a sanction. This type of volunteer/participant can be harmful to the Commons because their adverse behaviour generally continues along with its negative impact on the Commons' reputation/mandate, and volunteer retention, satisfaction, and participation. See Section 8 for more information on breaking off relations and sanctions.

7. Restorative Action

Restorative action involves working together to identify the harm that has occurred as a result of conflict and establish a way that everyone agrees with to repair the harm. Harm includes relational, emotional, social, or physical and can include a situation where relations have been broken off between the Commons and the individual(s) involved in the conflict (Reference J).

Implementing restorative action

Restorative action can be initiated by any person involved in a conflict. However, for it to be successful, all those involved in the conflict need to be engaged and work together on a solution. This must be made clear to all persons involved and the process can take time to work through.

Suggested steps to implement restorative action – The Restorative Questions (Reference K)

1. Ask what has actually happened. And how does each person in the conflict see what has happened? These are the facts presented in a neutral manner from everyone involved.
2. Ask each person involved who has been harmed. And in what way? What type of harm? Note that other people not directly involved in a conflict but who have been witnesses can also be harmed.
3. Ask who is responsible for what. There is usually responsibility and accountability on all parties.
4. Ask how can we fix it.

These are called the restorative questions and are usually posed as part of a facilitated discussion but can take place between two engaged individuals. As these questions are worked through, and if all individuals are honest about their responsibility, then the solutions to address the harm can become clear.

Appropriate ways to repair harm through a restorative approach depend on the nature of the issue, its severity, who is involved, and their capacity to be engaged. It could include ways such as:

1. Further discussions (storytelling – hearing each person's story of what happened).
2. Self-reflection and listening to each other.
3. An apology.
4. Forgiveness.

8. Breaking Off Relations & Sanctions

Volunteers and participants are deemed to have broken off their relationship with the Commons if they do not abide by the Gabriola Commons Agreement and:

1. No attempts to address the conflict or adverse behaviour have been made on either side; or
2. If conflict management efforts are unsuccessful in restoring relationships and repairing harm (the conflict or the adverse behaviour continues); or
3. The situation involved is so dire that immediate release of the person from the Commons is warranted (for example a volunteer is doing something illegal – suspicious handling of money/valuables, threatening or assaulting another person etc.)

Breaking off relations can mean different things to different people. Also, Commons participants may be unaware of the impact of their actions/behaviour and that relations are deemed broken. If this situation should happen, then the person(s) exhibiting the adverse behaviour should be informed. If no restorative action is taken, then the person should be informed whether they could continue participating in the Commons, and if so, how. Implementation of breaking relations can take the form of a sanction (a condition) that is imposed on the person. Sanctions are an important way of deterring anti-social behaviors and therefore must be part of any robust peer governance scheme (Reference L). Sanctions can be graduated depending on the nature of the situation, its impact and the individual(s) involved. It can be a significant decision, therefore, the final decision to impose a sanction and what it should look like, should come following consultation with the Trustees given their legal responsibility for the management of the internal affairs of the Commons, and be communicated to the person involved in writing along with suggestions for restorative action.

<u>Examples of sanctions</u>

- A condition is placed on their continued participation. For example, apologizing to the harmed person before resuming volunteer activities.
- Limitations placed on their participation. For example, the person is not scheduled to work alongside another person.
- Restricted participation. For example, they may participate in general work bees but not as a member of a specific team or involved as a volunteer in a specific event or activity.
- Complete dismissal of a volunteer/participant from further participation as a volunteer or involvement in any Commons activities or events.

9. Evaluation of the Guide and Suggestions for Improvement

Conflict management is a continually developing field, therefore, the guide should be reviewed by the Process Team at least every 5 years, and necessary updates completed. Any

suggestions for improving this guide are welcome and can be forwarded any time to the Process Team at process@gabriolacommons.ca The guide is considered Commons policy, and any updates to the guide completed by the Process Team follow the Commons consensus decision-making approach but ultimately are the responsibility of the Trustees Foundation as they have the legal responsibility as per the BC Societies Act for all the internal affairs of the Commons.

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Appendices

Appendix A – The Gabriola Commons Agreement

The Gabriola Commons Agreement

The people and the land of the Gabriola Commons function and thrive through respectful and caring relations. Anyone participating in the Commons or coming onto the land agrees:

- To welcome a diversity of people of all ages, abilities, backgrounds, and opinions.
- To model respectful behaviour. This means no discriminatory, harassing, bullying, or otherwise offensive words or actions.
- To try to respectfully address any experienced or observed adverse behaviour.
- To treat the Commons' land and facilities with extreme care and respect, including following the Commons' no fire, no drugs/alcohol, no smoking, no littering, no camping policies.

Anyone who does not abide by this agreement is understood to be breaking off relations with the Commons unless restorative action is taken.

Appendix B - Glossary of Terms

Glossary of Terms

A consistent, shared vocabulary helps us share experiences and knowledge with others. These definitions have been developed specifically for conflict management purposes in the context of the Gabriola Commons.

Adverse behaviour: is any intentional action by a person or a group of people that has the potential to cause harm to the organization, a group, the person, or another person (modified from Griffin and Lopez, 2005). Adverse behaviour can be seen on a continuum, ranging from incivility (rudeness) to harassment, bullying, physical violence or sexual assault. In the Commons context, this intentional action may also cause harm to the environment, Commons land, or facilities.

Accountability: having the obligation or willingness to accept responsibility or to account for one's actions.

Breaking off relations: ending the relationship with the Gabriola Commons. This could mean that they are no longer considered a Commons volunteer, a Commons team member, or welcome to participate in events or activities taking place on the Commons.

Bullying: is any intentional behaviour or comment by a person towards another person that the first person knew or reasonably ought to have known to cause the other person to feel humiliated or intimidated. Bullying is targeted over a period of time. Not every unpleasant interaction, instance of disrespectful behaviour or interpersonal conflict is considered bullying. Examples of behaviours that may not be considered bullying if undertaken appropriately are: expressing differences of opinion, offering guidance, advice or constructive feedback about another person's behaviour or volunteer work, making a legitimate complaint about someone's behaviour through established procedures (modified from WorkSafeBC How to Recognize Workplace Bullying and Harassment | WorkSafeBC accessed September 2, 2024).

Bystander: is an individual who observes or witnesses a situation of discrimination, violence or offensive behaviour committed by one person towards another person and has the opportunity to either condone, intervene or do nothing.

Confidentiality: means that private and personal information disclosed by an individual to another person by any means will not be disclosed to a third party without the individual's consent.

Conflict: an active disagreement between people with opposing opinions or principles. Usually, this is a serious disagreement or argument and lasts over time, often longer than expected or typical. Usually there is a strong emotional component to a conflict.

Conflict coaching: is one on one support to help an individual deal with a conflict situation. It is a voluntary and confidential process intended to help someone manage or resolve a disagreement or prevent one from escalating. An example is planning for a difficult conversation with a member of the Commons Process Team.

Disagreement: a situation where one or more people have differing opinions on a topic or subject.

Dispute (noun): another word for a disagreement.

Discrimination: a Commons participant is badly treated because of a personal characteristic. In British Columbia, persons are protected by the BC Human Rights Code if that personal characteristic is one of the personal characteristics covered by the Code. These include sex, sexual orientation, mental/physical disability, race, ancestry, colour, place of origin, age (modified from Human Rights Protection in British Columbia fact sheet (gov.bc.ca) accessed September 2, 2024).

Facilitated discussion: an informal process where the participants can talk to each other in the presence of an objective third party who guides them in reaching an acceptable solution. It is not an investigation or mediation or a legal process and does not determine right and wrong.

Harassment: There are many definitions of harassment and types of harassment. Harassment is a form of discrimination. It can be words or actions that offend or humiliate a volunteer or a Commons participant. It is harassment when someone repeatedly says or does things to a person that are insulting and offensive. Harassment includes unwelcome sexual suggestions/requests, unwelcome touching or physical contact, staring or making unwelcome comments about someone's body, jokes based on gender, sexual orientation, or racial stereotypes, comments that make fun or insult people because of their sex, pregnancy, race or physical or mental disability (modified from Human Rights Protection in British Columbia fact sheet (gov.bc.ca) accessed September 2, 2024).

Member: is a Gabriola resident who is a registered member of the Gabriola Commons Foundation (Society). The Gabriola Commons Foundation is the BC registered society which has legal and financial oversight of the Commons in accordance with the Commons Constitution and Bylaws 2019-GCF-Constitution-and-Bylaws.pdf accessed October 22, 2024). Membership is not required to participate or volunteer on the Gabriola Commons.

Negotiation: a discussion between two or more parties with the aim of reaching an agreement on matters of mutual interest. The agreement may benefit all or some of the parties.

Participant: any person who takes part in or becomes involved in a Commons activity or an event/activity organized by another person/organization on the Commons property. This also includes persons/organizations who rent Commons facilities on a short or long-term basis.

Responsibility: the fact of having the duty or the job to deal with something.

Restorative action: is means taken to repair the harm done by adverse behaviour and to rebuild the relationship between the person, group or Commons community harmed, and the person/persons who have committed the harm. It is intended to offer education, encourage self-reflection and accountability and deter further adverse behaviour. It should include all people involved in the situation (if the person who has been harmed is willing), connected to the violation, and tailored to the capacity of the individuals involved. It also could include action to protect the environment should the Commons land be harmed.

Restorative mediation: is a process to resolve conflict between two people that is mutual with harm on both sides. Not used for bullying or harassment situations or power imbalance situations. It focuses on

met/unmet needs, how both were impacted, collaboration, and repairing harm and restoring relationships. It is led by a facilitator who asks the restorative questions.

Sanction: a penalty imposed on an individual for the purposes of deterring adverse behaviour. If a volunteer, the sanction must be agreed upon by the individual's team, or if the adverse behaviour is serious, or if the volunteer is not currently engaged in a team, then by the Commons Trustees. Sanctions must be consistent with the nature of the adverse behaviour and the degree of harm caused.

Stonewalling: an avoidant behaviour pattern by which a person withdraws and shuts down when faced with a conflict discussion. It can look like dismissing or ignoring the other person, walking away from a discussion, being too busy to talk about the issue, or giving the silent treatment.

The Commons Agreement**:** the document that outlines how volunteers and other participants on or using the Commons facilities/ land are expected to relate to each other and the land. It is the framework on which the Commons conflict management protocols are based.

The right to privacy: a person has the right to keep confidential any personal information which on its own or in combination with other pieces of information can identify the person as an individual.

Volunteer: any person who gives freely of their time, energy and skills for the benefit of the Commons without monetary or other compensation. All volunteers are participants, but not all participants are volunteers. (modified from Volunteer_Canada_Canadian_Code_for_Volunteer_Involvement_2017.pdf accessed September 2, 2024)