

# NLG-SF Conflict and Grievance Resolution Principles, Guidelines & Process

*Adopted as DRAFT by NLG-SF Executive Board on December 5, 2018*

## PURPOSE:

Toward ensuring the organization is respectful, productive and reflects the goals of the social justice movements we defend and are part of, NLG-SF is committed to developing processes and tools that encourage accountability, shift behavior that is harmful, and resolves conflicts between members, Executive Board, Committees and staff. This includes issues of racism, sexism, sexual harassment and/or violence, homo/transphobia, class and educational disparities, ableism, and xenophobia (what is summarized as “social relations of power” in the guidelines and protocol below).

## GOALS:

- Have a clear process for addressing grievances and conflict and for enforcing accountability and agreements.
- Create a conflict resolution and grievance process to address conflict directly, productively, respectfully and in line with our principles of engagement.
- Support the safety, agency, desired organizational participation and well-being of those experiencing harm, harassment, or lack of accountability.
- Create mechanisms to support people in being accountable and getting the support they need to shift harmful or unaccountable behavior.
- Contribute to a culture of healthy and direct communication in which all staff, Committees, the Executive Board and members feel valued and respected.
- Reduce vulnerability of NLG to infiltration, avoidable splits, loss of talent, alienation of members and partners, and/or attacks by the State.

## NLG-SF PRINCIPLES OF ENGAGEMENT

*Because we are an organization committed to creating just and equitable societies, and because we are engaged in the work of ensuring no harm is done to any people – and particularly - oppressed people in the world, our treatment of each other, our staff and our constituents must be a reflection of the world we are trying to build.*

- **We commit** at all times to challenge systems of oppression, and in so doing, be mindful of race, class and gender privilege when communicating with each other and our constituents.
- **We commit** at all times to communicating and engaging each other with respectful language, tone and tenor.
- **We commit** to honoring the lived experiences of all - and particularly of our most oppressed community members and/or those experiencing harm.
- **We commit** to calling each other in - not out - when we are not being our best selves.

- **We commit** to principled struggle - where disagreement is handled with honest, timely, direct and clear communication.
- **We commit** to combatting liberalism at all times in ourselves and with each other.
- **We commit** to never engaging in behaviors that make it easier for State and government agencies to target, incarcerate or harm each other or our constituents and therefore we commit to being mindful of security issues and protocols.
- **We commit** to engage with each other according to the principles listed above

### **GUIDELINES:**

- **We are concerned about the safety of all our members and supporters.**
- **Orient toward individual and organizational safety:** address immediate and on-going safety needs of those most impacted by harm and abuses of power as well as vulnerabilities to state violence and repression.
- **Err on the side of collectively addressing conflicts.** For example, if a member of the Grievance Committee is assigned to a conflict and feels that more support is needed or has questions about the conflict or process, it is better to bring it to the full committee than try to navigate it alone.
- **Ground all conversations in the mission and work of the NLG and the NLG-SF Principles of Engagement.**
- **Acknowledge the effect of positional power and the social relations of power** operating in the conflict or disagreement.
- Support all parties involved in **sharing their experience without making assumptions or generalizations** – “I” statements may help with this.
- Encourage all parties to **be specific and concrete** about who, what, where, when, how and impact rather than vague and generalized statements.
- Encourage all parties to **be mindful of non-verbal communication** (facial expressions, body language, eye rolls, etc.).
- **Work for a solution and follow through on agreements**, including a specific timeline for shifts and for checking in on agreements.
- **Identify changes in NLG-SF policies, procedures or structure** that might prevent future conflicts or support a healthier organization.

**TYPES OF CONFLICT:** It is often helpful to name the type(s) of conflict that is/are occurring.

**1. Content Conflict:** This usually occurs when there are disagreements about specific political or organizational decisions, operations, statements or programming.

**2. Communication Conflict:** This usually takes place when someone is not communicating with enough clarity, timeliness, professionalism, or frequency, or when communication is less open or transparent than someone expects or hopes. It could also be that there is a conflict around how something was communicated – tone, language used, blame implied, etc.

**3. Decision-making & Responsibility Conflict:** This can occur if someone feels unfairly excluded or not taken into consideration in a decision-making process, feels the burden of unequal responsibility for shared work tasks than others, un-acknowledged or unfairly compensated for their work or effort, or being asked or made to do something outside of their role.

**4. Interpersonal or Group Conflict:** This is often the result when conflict types listed above are not resolved or have escalated to a point where it has become challenging to work with one another. The social relations or positions of power between us could also be a source of conflict between individuals that may come out interpersonally but be more about issues of power.

**5. Systemic Conflict:** Conflicts that occur based on relationships of power and stem from a systemic issue within the organization that may involve issues of collusion, structures, organizational priorities (or lack thereof).

**6. Institutional Conflict:** Conflict that occurs between NLG-SF and the institutions it interacts with – BACLF, other legal organizations, community partners. The source of conflict is often a difference in politics, philosophies, values, culture, goals and principles, but can also be in communication failures.

**PROCESS:** *\* meant to offer direction, not to be rigidly followed.*

*\*A note about the timeline for the process: every attempt will be made to complete the process as quickly as possible without compromising on the steps that are necessary to inform a resolution that fulfills the goals and adheres to our principles and guidelines.*

**1. Grievance Committee (GC) receives a form that outlines the following:**

- a. The nature and timeline of the conflict, harm or grievance, and who is involved.
- b. What has been done to try to remedy the situation.
- c. What the person filing the grievance believes should be done to remedy it.
- d. Complainant receives automatic email stating that we've received the grievance will be provided and an update on status of investigation and estimated timeline within 10 days (in cases of urgent or egregious situations the response time will be shortened).

**2. Grievance Committee assigns someone or several people to respond and investigate the conflict or grievance.**

- a. The email is received by person assigned to intake and distributed to the Committee.
- b. Unless egregious enough to require a meeting of the full Grievance Committee to respond and investigate, one or more members of the GC will be assigned to respond, reach out to all parties involved and do some preliminary investigation into the situation.
- c. When reaching out to parties involved, the GC member will state the nature of the conflict and who is involved.
- d. Depending on the initial investigation, the member of the GC will ask for additional members to become involved, agree to proceed with the process, or call for a meeting for the full GC to meet and discuss the case.

3. **GC lead reaches out to party to schedule an initial conflict resolution session.**
  - a. Get agreement from all parties on GC member or members to facilitate the session.
  - b. Agree on time and location for discussion. Set an initial two-hour period for discussion.
  - c. **If there is denial involved by one or more of the parties and/or unaccountable behavior around social relations of power or issues of positional power, a mediator is highly encouraged.** It may even be useful for person/people experiencing impact of power relations to have **allies or witnesses\*** in the room. It's important to then get agreement from person requesting ally/witness on who should be included and inform others that a witness or ally will be joining for the process.
  
4. **Process of addressing conflict, harm or grievance**
  - a. Start by setting goals and intentions (each person/all people).
  - b. Review guidelines and principles of engagement.
  - c. Review and confirm together the specific conflict/issue that is being addressed (go back and forth until clear on what the issue(s) is/are).
  - d. GC supports following process:
    - i. Person who initiated conflict resolution shares their experience of the conflict and acknowledges their part (if relevant) – no back and forth.
    - ii. Person who is listening, be aware of non-verbal communication.
    - iii. **Reflect Back:** Person(s) who is/are listening reflects back what they heard without interpretation or commentary. Person who shared clarifies anything they feel was not heard or not accurately reflected back. Once the person who shared feels that what they shared was reflected back, then continue with process.
    - iv. **Clarifying Questions & Validation:** Person who is listening then asks clarifying questions and validates all that they authentically can (*it is always useful to acknowledge the feelings of the other person whether or not you agree with their assessment of the situation or that you were part of what brought on those feelings*).
    - v. After the first person who shared feels heard and validated to the extent the other is willing to do so, the person/people who first listened shares their experience(s) and the person who shared listens and follows the process of reflection, clarifying questions and validation.
  - e. *For groups – identify an order for people to share. Not everyone has to reflect back, ask clarifying questions and validate. It's important that each person experiences that from the group as a whole and sometimes from particular people within the group depending on the conflict. People who are sharing can ask for reflections and validation from specific people if they feel they need or want that.*

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\* **Role of allies or witnesses** is to support who can support the person experiencing racism, sexism, sexual violence or harassment, homo/transphobia, ableism, xenophobia or class-based oppression in giving feedback or those being challenged on hearing it.

## 5. Setting Agreements

- a. The GC supports each person, makes suggestions or requests to address and resolve conflict and shift individual behavior or dynamics moving forward based on what has been shared. The GC may propose agreements if needed.
- b. GC asks for a commitment to the agreements and a timeline for meeting agreements and checking in on accountability to agreements.
- c. GC writes down the agreements and commitments as well as timeline to be sent to participants and the full GC as a follow-up.

*\*\*\*If the process needs to be continued, try to schedule it and suggest any preparation needed as well as any additional witnesses, mediators needed and the location.*

## 6. Follow-up

- a. GC member(s) assigned sends agreements, commitments and timeline to participants.
- b. GC member(s) assigned sends summary, including agreements, commitments and timeline to full GC. If process is to be continued, send information to GC and ask for additional support if needed for next phase in process.
- c. GC member(s) assigned engages in follow-up check-in – whether together or one-on-one – and asks for support if needed.
- d. Following check-in, GC member(s) assigned updates full GC and, if needed, GC agrees on consequences for lack of follow-through on agreements and/or next steps.

## 7. Processes for removing people as members of the NLG or from leadership of Committees or Executive Board either by request or as a result of the grievance/conflict resolution process, including failure to be accountable to agreements reached through process.

- a. When people threaten to leave positions of leadership as a misuse of the power they hold over the NLG and movement given their position, we take such threats seriously. When such threats are made, we will take the following steps to address them:
  - i. We will ask for confirmation in writing.
  - ii. We will ask that the person/people making such threats step down from all Committees and Committee roles and tasks.
  - iii. We will take the person/people off all listserves and membership announcements.
  - iv. Those who have stepped down from a leadership position can no longer represent the NLG in media, communications, meetings or events.
  - v. Those who step down will be offered the opportunity for an exit interview with the Executive Committee of the Board.
- b. After completing a grievance/conflict resolution process and/or the process outlined in the sexual harassment policy, the NLG-SF Executive Board may ask people to step down from leadership, to stop participating in Committee or organizational work, or to leave the organization as a member for the following reasons:

- i.** Repeated violations of the Principles of Engagement and failure to be accountable to the agreements reached in a conflict mediation/grievance process.
  - ii.** Collaboration with the State against the movement.
  - iii.** Abuse of power including sexual or racial harassment.
  - iv.** Other egregious acts or behavior to an individual member or to the well-being of the organization itself.
- 8. Process for bringing people back into NLG or back into a leadership position once they have stepped down by choice or request.**
  - a.** We enforce a 90-day period before returning.
  - b.** We need a written letter or email to the Executive Board requesting to return, including information about what has changed that has led to the request to return.
  - c.** The Executive Board may ask for a face-to-face meeting to discuss the issues that led to the resignation and come to some agreements on involvement moving forward.
  - d.** The Executive Board should reach out to those who were impacted by the person requesting to return to the organization (if the person left at the request of the Executive Board as a result of a grievance or conflict).