

ICC Austin

**Conflict Resolution and Member Review Policy**

As approved by the Executive Director, and incorporating all changes through:

**January 11, 2017**

## Revision History

---

Date	Author(s)	Summary of Changes
June 1, 2013	Donovan, Thogersen	Policy creation
Jan 13, 2014	Thogersen	Minor wording changes
July 10, 2014	Thogersen	Added Judicial Committee Policy
October 22, 2014	Lassiter, Thogersen, Hill	Clarified Member Probation; Removed Reinstatement Process; Added clarifying language; Language tweaks
July 25, 2015	Lassiter, Thogersen, Hill	Further clarified probation; Clarified mediator roles; Added guiding questions to define probation; Changed round robin process for solutions; Clarified voting for scenarios outside of the house structure; Removed unnecessary language
January 10, 2017	Lassiter	Clarified Type Two mediation; Added general discussion step in member review process including process for closed discussion; Clarified voting for probationary solutions with possible outcome of membership revocation; Removed Judicial Committee procedures from policy.

## Review History

---

Date	Reviewed by

## External Cross-references

---

Section(s)	Policy/Section Referenced
	Eviction Policy
	Judicial Committee Policy

## Introduction

*In February of 2012 ICC Austin engaged the Anti-Oppression Resource and Training Alliance (AORTA) Collective to help develop a new member review process that fosters positive conflict resolution. The procedures established here were created by AORTA consultants, members, Board and staff.*

Historically, conflict often has led members to move out rather than work it out. The primary goals of this policy are to create a healthy cooperative environment and to help members learn to successfully communicate and solve problems in a positive way.

Although most member reviews stem from problems occurring within the house the member resides, this policy also applies to inter-house and other ICC Austin-wide member conflicts. The same basic process applies in all cases.

Note: Membership revocation is different from right to occupancy. Staff has authority over members' tenancy status but cannot terminate ICC Austin membership. For example, staff may evict a member for non-payment or lease violation, but this action will not in and of itself revoke the ICC Austin membership. Only ICC Austin members acting as a group within operational policy rules have the authority to revoke a membership.

## Definitions

- “Member Resident Agreement” is the contract that grants the right of occupancy in an ICC Austin house to a member.
- “Probation” is any that status places a member under conditional terms as determined by the group conducting the member review. Probationary terms must be fair, non-discriminatory, conform to house and ICC Austin policies, and not demand undue conditions as determined by the mediators. If specified as the consequence, failure to comply with probationary terms leads to membership revocation.
- “Membership Revocation” is the removal of all privileges held by a member of ICC Austin, including the right to live in an ICC Austin house. Upon Membership Revocation the member will be expelled from the house as well as from the organization and may not move into or board at any ICC Austin house. The member may still be held responsible for charges and damages. Membership Revocation begins immediately. ICC Austin will file for eviction if the member does not move out in three (3) days.
- “Judicial Committee” is an operational committee which reviews appeals and requests for member reviews from staff.
- “Trained Mediators” are members who have been attended an ICC Austin Conflict Resolution Training.
- “Executive Session” refers to the closed discussion among only Judicial Committee members when considering an appeal.
- “Right to Occupancy” is the legal right to occupy an ICC Austin facility.
- “Operational Committee” means a non-Board committee coordinated by staff.

## Policy – Conflict Resolution and Member Reviews

1. ICC Austin maintains an up-to-date Conflict Resolution Manual which is available to all members via the ICC Austin website.
2. ICC Austin conducts Conflict Resolution Mediator Training each semester. Houses are strongly encouraged to send one of their members to this training each semester (preferably a Trustee or Labor Czar). Additional members are encouraged to attend.

## Procedure – Conflict Resolution and Member Reviews

1. Healthy Confrontation (TYPE ONE): If a member has an issue with another, it is their responsibility to address the member and attempt to work it out. Refer to the current ICC Austin Conflict Resolution Manual for helpful tips and suggestions for resolving conflict. The manual is available on the website or can be obtained from the ICC Austin office. Communicating your feelings to those with whom you share a living and working environment is an important aspect of cooperative principles.

If, however, a member feels that their personal safety or the safety of the house is of concern, a TYPE TYWO or higher resolution process may be requested.

2. Interpersonal Conflict Resolution (TYPE TWO): If the conflict persists and/or you feel unable to address an issue, find a Trained Mediator to conduct a restorative circle and help negotiate the issue. Trained Mediators can be contacted by emailing [mediators@iccaustin.coop](mailto:mediators@iccaustin.coop).

In this process the two members with conflict must try to negotiate a mutual agreement. Mediators are responsible for submitting documentation that the mediation took place. This should include time and date, name(s) of members involved, brief description of the conflict and the outcome of the mediation. In the two to three weeks following the mediation, the Mediator will follow-up to ensure that the agreement continues to be respected. This type of mediation, if no compromise is reached, can be grounds for reaching a Member Review.

3. House Level Conflict Resolution (TYPE THREE): Notify staff once this type of Resolution ensues. This type of mediation, if no compromise is reached, can be grounds for reaching a Member Review.

Two Trained Mediators must conduct this meeting, at least one of which cannot live in the members' house. One mediator will keep stack and monitor interruptions while the other will moderate the meeting procedures and ensure community agreements are followed. Both mediators are responsible for monitoring emotions. Community Guidelines shall be established at the beginning of this meeting. The house will engage in a conversation about the problem and must seek to find a mutual agreement. Minutes must be taken at this meeting and distributed to the house and on file with the ICC Austin Office.

4. Member Review (TYPE FOUR): Initiating a Member Review: There must be a documented attempt of a Type 2 or 3 Conflict Resolution, mediated by Trained Mediator(s) on the issue at hand prior to initiating a Member Review. Or, the following may call a Member Review:
  - a. Any two house officers or any three current members for any illegal activity, discrimination, violation of ICC Austin Member Resident Agreement , or harassment; or
  - b. ICC Austin Staff, with approval from the Judicial Committee, if a house refuses to deal with a problem requiring a Member Review.
5. Procedure to organize a Member Review:
  - a. The Member-under-Review and ICC Austin Staff must be officially notified of a pending Member Review. At that point, the Member-under-Review will have seven days to cooperate in finding a meeting date and time that works with the mediators and member(s) with grievances. If the Member-under-Review will not find time after a seven day period, the review may move forward without their presence.
  - b. Notice of the meeting must be posted prominently in a house's primary communication medium at least 72 hours in advanced of the Member Review. If a member review is called outside of the house structure, all ICC Austin members must be notified at least 72 hours in advance.
  - c. Two impartial Trained Mediators, at least one of which must not live at the house of those directly involved, must be officially announced to all involved at least 72 hours before the meeting is to be held. One Mediator will keep stack and monitor interruptions while the other will moderate the meeting procedures and ensure community agreements are followed. Both mediators are responsible for monitoring emotions. If the Member-under-Review disapproves of a Mediator, this must be made known to the ICC Austin staff at least 48 hours in advance so that another Mediator may be found.
  - d. A quorum of one-half plus one of the house must be present for the meeting. No proxy voting is allowed.
    - i. If a member review is called outside of the house community structure or if a house calls a review on a member not currently residing in that house, quorum will consist of any 18 or more Current Members (as defined in the ICC Austin Bylaws). All those present will be allowed to vote.
  - e. Both the Member(s)-with-Grievance and the Member-under-Review have the opportunity to bring outside support as desired.
  - f. If anyone is uncomfortable discussing information in the presence of the group, they shall present this information to the Mediator(s) before the meeting, and the Mediator(s) shall ensure that the item is discussed.

- g. Member Review meetings will proceed as follows:
- i. The meeting agenda and procedures shall first be outlined by the mediation team. The mediators will also provide a brief summary of the conflict including any important dates or events the group needs to know to make an informed decision.
  - ii. The party bringing the issue forth will state the conflict from their perspective, using I statements, and declare how the issue is making them feel.
  - iii. The other party will then have an opportunity to do the same.
  - iv. Both parties will state their ideal outcome, what they are willing to compromise on, and what they are willing to do personally to see that the conflict is resolved.
  - v. Clarifying questions may be asked after both parties have presented their cases. Discussion will not be allowed here.
  - vi. General discussion about the issue. Discussion is capped at 30 minutes. It is recommended this discussion be round-robin style, so all members have a chance to voice their feelings.

If desired, the house may choose to have a closed discussion without the member-under-review or the member(s) calling the review present. To maintain fairness to both parties, the house may:

1. Ask both parties to leave the room at the same time and have a closed discussion without either party present. Discussion is capped at 30 minutes.
  2. Ask each party to leave the room individually and have a closed discussion with the other party present (and vice-versa). Both parties must be given the opportunity to be present within the closed group discussion. Discussion is capped at 15 minutes per party.
- vii. All those present will write down their ideal outcome on a sheet of paper and hand to the mediators.
  - viii. The Mediators will read aloud the possible solutions to the conflict.
  - ix. A general discussion may open to possible solutions to the conflict.
  - x. Those present will then vote on the proposed solutions.
    1. Each proposed solution and vote count must be clearly recorded in the minutes. Probationary solutions must adhere to guidelines stated in sections H & I.
    2. Solutions must receive a majority vote to pass.

3. Membership revocation must receive a 2/3 majority vote to pass. This includes probationary solutions when the consequence of breaking the probation is membership revocation.
  4. Multiple solutions may pass as long as they do not conflict with one another.
- h. When the result is Member Probation the group shall state their terms for the probationary solution to the Member-Under-Review. The conditional terms must be fair, non-discriminatory, conform to house and ICC Austin policies, and not demand undue conditions as determined by the Mediators.

The following questions should be used to clearly define probation:

- What are the terms of the probation?
- What are the consequences of not meeting the terms of the probation?
- What are the terms by which probation is removed?
- Who, specifically, is responsible for following-up on the terms of probation?

Unless otherwise specified in the probationary terms, Member Probation will end after three months.

- i. Minutes Content: The minutes must clearly state the outcome of the review. If probation passes, the minutes must specifically answer the following questions: What are the terms of the probation? What are the consequences of not meeting the terms of the probation? What are the terms by which probation is removed (three months pass by default)?
- j. Minutes Review: Minutes will be sent to the member-under-review, members of the house, conflict mediators, and staff. If the review is conducted outside of the house community structure, minutes must be sent to all ICC Austin members. Changes to the minutes will be incorporated as additional commentary, not formal changes to the language as originally sent out.
- k. Decision Approval: Conflict mediators must sign off that the outcome of the review as stated in the minutes is accurate.

## 6. Removal from Member Probation:

- a. Member Probation may be removed by:
  - i. Fulfillment of the probation requirements as determined during the member review
  - ii. Overturn through the appeals process by the Judicial Committee
  - iii. Probationary time expires (3 months default)

## 7. Appeals Process: A request for an appeal must follow the policies and procedures outlined in the Judicial Committee Policy.