

Dispute Resolution Process of the Covenant of Gaia Church of Alberta

This process was derived by the Dispute Resolution Committee. The members of this committee were: Lady Susan, Mike Thompson, James Butler. The committee was struck and duly appointed by the Board of Directors of the Covenant of Gaia Church of Alberta.

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Mandate of D.R.S.C.

To design effective and acceptable processes and policies for COGCOA in regards to interpersonal problems that occur between members and to establish a process to handle issues involving persons in a position of trust and authority where claims of misconduct have been brought before the Board of Directors of COGCOA for attention and resolution.

The Dispute Resolution Process is designed to provide an effective and acceptable means to bring behavioral and conduct related problems and complaints to the Board of Directors of COGCOA's attention for resolution. This procedure will enable any attendee, member or associate member of COGCOA to file a complaint without fear of embarrassment or reprisal while being treated in an ethical and impartial manner. This procedure is also intended to identify and resolve legitimate causes of friction within the community of COGCOA while respecting Coven, Traditions and Teaching relationships. Persons of the greater pagan community are free to request the use of the Dispute Resolution Process with the understanding that it is a COGCOA process and that should they avail themselves of this process they must agree to follow all the guidelines and procedures without exception.

DEFINITIONS

- COMPLAINT:** A written statement submitted for Situational Assessment that makes a specific allegation or allegations.
- COMPLAINANT (S):** A person or persons submitting the written complaint.
- RESPONDENT (S):** A person or persons against whom a complaint has been filed.
- SITUATIONAL ASSESSMENT:** A preliminary review of a complaint by the Vice-President or President of the Board, Covenant of Gaia Church of Alberta (COGCOA), to determine if all relevant factors and circumstances surrounding a situation, event, incident, occurrence, issue in the matter of the complaint have been provided in writing.
- FACILITATOR:** A Second Degree or Third Degree holding member in good standing selected from the Facilitator Pool who is empowered to review the documentation and act as a facilitator for the Dispute Resolution Process. (Note: the facilitator of a dispute will have their name removed from the very next Facilitator Pool to ensure that the same person is not picked for consecutive disputes).
- SILENT WITNESS:** A Second Degree or Third Degree holding member in good standing selected from the Facilitator Pool who is empowered to witness the facilitation and act as an impartial third party to insure that the Dispute Resolution Process guidelines have been followed and that the facilitator for the Dispute Resolution Process has acted in a impartial and ethical manner.
- DISPUTE RESOLUTION PROCESS:** The term used to describe the mechanisms, techniques and procedures to be followed during the dispute resolution phase

ROLES AND RESPONSIBILITIES

**President or
Vice-president:**

The role of the Vice-President or President of the Covenant of Gaia Church of Alberta is to review the submitted complaint in a prompt, sensitive and impartial manner. To ensure the complaint falls within COGCOA's jurisdiction and act as advisers to the complainant(s) and respondent(s) on the matter of the complaint. This includes explaining the dispute resolution process to the complainant(s) and the respondent(s). The (VP) or (P) will determine if all relevant factors and circumstances surrounding a situation, event, incident, occurrence, or issue in the matter of the complaint have been provided in writing. The (VP)/(P) do not make any determination as to the validity of the complaint; their role is to support the process not the complainant or respondent.

Facilitator:

The role of the Facilitator (F) is to review the documents and act as a facilitator during the dispute resolution phase of the process. The (F)'s specific responsibilities include:

- a. Ensuring that complaints are dealt with appropriately and in a timely manner.
- b. Ensuring that both parties are aware of all options so that every effort is made to resolve the complaint.
- c. Ensuring that the parties involved in the complaint are treated in an unbiased and ethical manner.
- d. Convening meetings and facilitating where required and ensuring that they are conducted sensitively, impartially and completely. A maximum period of three hours is allowed to reach a consensus. If no consensus is reached the (F) will be required to render a binding decision based on their findings.
- e. Ensuring that the complainant and respondent each receive and sign a copy of the results of the dispute resolution and that a copy is sealed and delivered to the (VP/P) for placement in secured archives.
- f. Being available afterward to ensure that the facilitated agreement is being followed by all parties.

Silent Witness (SW)

The role of the Silent Witness (SW) is to act as a witness during the facilitation phase of the process. The (SW)'s specific responsibilities include:

- a. To witness the process has been dealt with in an unbiased and ethical manner.
- b. Report to the (VP/P) only if a complaint is filed about the process of the complaint by the affected parties.
- c. The (SW) cannot be the spouse or working partner of the Facilitator.

Complainant:

The role of the complainant is to submit the complaint in as complete detail as possible with supporting documentation, without fear of embarrassment or reprisal and to expect they will be treated in an ethical and impartial manner.

It is the responsibility of the complainant to:

- a. Clearly state the allegations of their complaint.
- b. Provide sufficient details of the incident(s) involved, such as time, place, participants and witnesses.
- c. Participate in the assessment and resolution of the complaint
- d. Act in a cooperative manner in the resolution process being pursued. This includes responding promptly to requests for information and being available for meetings with the (F) (SW) and respondent.
- e. To understand that discussion of the complaint with persons not responsible for its resolution is detrimental to achieving a resolution and therefore all aspects of the investigation and resolution are to be held confidential. Individual perceptions can be discussed, but only in a counselling relationship with 1 other person.
- f. To understand that the Board of COGCOA will receive a summary of the investigation and resolution of the complaint and will hold a copy of the signed resolution in confidential archives for a period of one year after the expiration of the agreements date.

Respondent:

The role of the respondent is to respond to a complaint without fear of embarrassment or reprisal and to expect they will be treated in an ethical and impartial manner.

It is the responsibility of the respondent to:

- a. To promptly and clearly respond to the allegations.
- b. Provide sufficient details of the incident(s) involved, such as time, place, participants and witnesses.
- c. Participate in the assessment and resolution of the complaint.
- d. Act in a cooperative manner in the resolution process being pursued. This includes responding promptly to requests for information and to be available for meetings with the (F)(SW) and complainant.
- e. To understand that discussion of the complaint with persons not responsible for its resolution is detrimental to achieving a resolution and therefore all aspects of the investigation and resolution are to be held confidential.

Individual perceptions can be discussed, but only in a counselling relationship with 1 other person.

- f. To understand that the Board of COGCOA will receive a summary of the investigation and resolution of the complaint and will hold a copy of the signed resolution in confidential archives for a period of one year after the expiration of the agreements date.

SELECTION AND APPOINTMENT OF THE FACILITATOR

The Complainant and Respondent will each review a list of Second and Third Degree holders who are willing to act as facilitator. Both parties will select three people from the available pool and provide the names to the (VP/P). The (VP/P) will compare the lists and if one or more of the names are in common then the (F) will be selected in alphabetical order. If no names from the lists match then the (P/VP) will select the (F) from the remaining names in the pool not listed by the two parties, who is if possible, a person the two parties find agreeable. (The facilitator of a dispute will have their name removed from the selection list of the very NEXT dispute. This will ensure that the same person is not facilitator for consecutive disputes.)

SELECTION AND APPOINTMENT OF THE SILENT WITNESS

The (VP/P) will compare the lists provided by the Complainant and Respondent and if two or more names are in common then the (SW) will be the person selected second in alphabetical order. If no names from the lists match then the (VP/P) will select the (SW) from the remaining names in the pool not listed by the two parties. The (SW) cannot be the spouse or working partner of the Facilitator.

SUBMITTING A COMPLAINT

- A. A complaint should be submitted to the Vice-President of the Board of COGCOA.
- B. If in cases where the Vice-President is the Complainant or Respondent then the complaint should be submitted to the President of the Board of COGCOA.
- C. If in cases where the President and the Vice-President of the Board of COGCOA are the Complainants or Respondents then the complaint should be submitted to COGCOA's ministers.
- D. A Board member other than the person receiving the complaint should contact the complainant within 14 days of receipt of the complaint with notice that the complaint has been received.

Dispute Resolution Process:

Submitting a Complaint

A complaint should be submitted to the Vice-President of the Board of COGCOA.

If in cases where the Vice-President is the Respondent then the complaint should be submitted to the President of the Board of COGCOA.

If in cases where the President and the Vice-President of the Board of COGCOA are the respondents then the complaint should be submitted to COGCOA's ministers.

A formal letter of complaint is referred to the Vice President of the Board of Directors of COGCOA for review. The letter must contain the following:

- Complainant's name [the person(s)].
- Complainant's contact information [phone number, cell phone number, email address].
- Respondent's name [the person(s) the complaint is being lodged against].
- Respondent's contact information [phone number, cell phone number, email address].
- Date of the incident.
- Time of the incident.
- Location of the incident.
- Relationship of parties to each other within the community (i.e. student/teacher, fellow trad member etc.)
- Full description of the incident including all participants.
- Witnesses written statements, and/or supporting documents (possibly including student/teacher contract, elevation contract).
- What step has the Complainant taken to resolve this dispute before filing a complaint (has their HPS/HP/Teacher been notified of the dispute, for example?).

The Vice President or President will provide a Situational Assessment to determine if all the relevant information has been provided and act as the advisor to the Complainant, explaining the Dispute Resolution Process and Guidelines.

The Vice President or President will advise the Board of Directors, without revealing all of the confidential details, that a Complaint has been brought forward. No merit will be made on the complaint, only the confirmation that the guidelines have been followed. One Board member will be selected to provide verification to the Complainant that the Complaint has been received.

The Vice President or President will inform the Respondent(s) that a complaint has been filed with the Board of Directors, provide a copy of the complaint and will act as the advisor to the Respondent, explaining the Dispute Resolution Process and Guidelines.

The Respondent is expected to give a written response to the complaint. This response is to be received no later than the board meeting following the complaint being served or within two weeks, which ever is greater.

Both parties will be instructed to neither communicate further with each other nor have others relay information on their behalf until this complaint is resolved.

Selection and Appointment of the Facilitator

The Complainant and Respondent will each review a list of Second and Third Degree holders who are willing to act as facilitator. Both parties will select three people from the available pool and provide the names to the (VP/P). The (VP/P) will compare the lists and if one or more of the names are in common then the (F) will be selected in alphabetical order. If no names from the lists match then the (P/VP) will select the (F) from the remaining names in the pool not listed by the two parties, who is if possible, a person the two parties find agreeable.

The Facilitator shall be given up to two weeks to review the complaint. No later than two weeks, the Facilitator shall:

- Respond with a determination as to whether they believe the Complaint falls within the role of the Dispute Resolution Process or if any part of it falls within another jurisdiction and therefore whether the Complaint will or will not be heard. This may be done by email, phone or in person; notes of this communication will be taken and provided to the Vice President or President of the Board of COGCOA.
- It is the responsibility of the Facilitator to inform the Complainant and Respondent if the complaint is to go forward and to negotiate between the two parties a time, date and place for the Dispute Resolution.
- It is the responsibility of the Facilitator to inform the Vice President or President of the Board that the complaint is to go forward and request that a Silent Witness be appointed.

Selection and Appointment of the Silent Witness

The (VP/P) will compare the lists provided by the Complainant and Respondent and if two or more names are in common then the (SW) will be the person selected second in alphabetical order. If no names from the lists match then the (VP/P) will select the (SW) from the remaining names in the pool not listed by the two parties.

Dispute Resolution Process

The Facilitator will set the meeting date.

The meeting place shall be on neutral territory, will have little or no interruptions, and will have access to important amenities such as a bathroom.

The only persons persons allowed to participate and witness the Dispute Resolution are the Facilitator, the Silent Witness, The Complainant(s), and the Respondent(s).

The Facilitator MAY begin and end the process with a Wiccan blessing.

The Facilitator will outline their procedures to be followed.

The Facilitator will allow a maximum of three hours for both parties to reach a mutually agreeable solution.

If by the end of three hours there is no solution in sight, The Facilitator may, at their discretion, invoke a resolution upon both parties.

Where the Facilitator determines that either party is not cooperating fully, he/she may either suspend the Process immediately or impose a resolution based on available information.

A contract is to be drawn up with copies going to the Complainant, the Respondent and one to be placed in a secure archives file.

All participants in the Dispute Resolution will sign the copies.

The secure archives file will contain the Resolution contract, the complaint, the response, and all supporting documentation submitted.

Enforcement of the contract, as agreed upon by the two parties, will be done with the good will of both parties involved.

If at any time there is a breach of confidentiality regarding this Dispute Resolution or there is a complaint by either the Complainant or Respondent regarding the contract after the process is complete, this is to be brought to the President of the Board of Directors of COGCOA. The President may open the confidential file containing the Complaint and Resolution and review the file. At her/his discretion the President may unilaterally take any action that they feel necessary and report this action to the Board of Directors. This action and reasoning will be documented in the minutes of the Board meeting. Such action may include:

- Restricting persons from joining activities.

- Barring persons from certain rituals.

- Suspending voting privileges.

- Restricting persons from positions of trust and authority.

- Not being allowed to participate with certain ritual teams.

- Being banned from COGCOA for a period of time but not more than a year and a day.

- Placing the person who has done the misconduct under the authority of another until such time as they feel the trust has been re-established.

- Not allowing that person in certain areas (such as the kitchen or the blue room) for a certain amount of time.

- Any other reasonable penalties as determined by the Board of Directors of COGCOA.