

MANAGING DISPUTES

Part 3 RLI





Aims for the Session

- Develop and implement an action plan to reduce & manage conflict in your club
- Identify opportunities to increase skills in conflict resolution, complaint and dispute handling
- Become familiar with available options if disputes continue &/or escalate
- Be aware of procedural fairness issues



Create a Conflict Management System

- prevent and manage conflict and
- create a culture of conflict competence- the creation of an environment where all who experience conflict feel comfortable to raise it, knowing it will be dealt with respectfully and responsibly.
- Training
- Feedback



Types of Interventions

- Facilitative

- Negotiation – Mediation - Facilitation

- Advisory

- Counselling – Coaching - Investigation

- Determinative

- Adjudication – Arbitration – Expert determination



Coach/Advisor

- Active listener, doesn't interrupt
- Asks open questions
- Reality tests proposals
- Coaches you through options
- Plays the “devil's advocate”



What Not to Do at your Club

- If you notice a member or partner in your club is unhappy or has raised a complaint you can:
- ignore him/her and the problem will go away eventually
- try to talk the person/s out of it by saying it is not important
- tell the person to forget about it
- make jokes over dinner in front of others
- the member was probably going to resign anyway
- it's not my problem so I'm not getting involved
- it was his/her choice and every end is a new beginning



Mediation/Conciliation

- the process whereby an impartial third party (the Mediator) assists parties in dispute to agree on terms to resolve their dispute.
- Confidential process
- Can provide guidance, but does not impose an outcome
- Internal– a Rotarian mediator
- External – CJC or LEADR



Impact on Club

- Retention of members who may otherwise leave.
- Happier club atmosphere
- Better outcomes and mutual respect for all Rotarians



Disputes

- Any dispute, excluding an internal club dispute, or a dispute over a decision of the Board of RI, that cannot be settled amicably,
- Current or former member of a Rotary club, Rotary district, RI or an RI officer
- By request by any disputant, to general secretary within 60 days of dispute arising
- First to referred to mediation; if a party refuses mediation, then direct to arbitration



Mediation

- Within 90 days after request
- Procedure set by RI board
- Mediator appointed by general secretary or his appointee
- Mediator to be a Rotarian with mediation skills & experience, not from the disputing clubs
- Outcomes/agreements to be recorded & copy provided to general secretary
- Costs to be borne equally



Arbitration

- If a disputant objects to mediation
- At the request of a disputant, if mediation is unsuccessful
- Each party shall appoint an arbitrator & arbitrators shall appoint an umpire
- Arbitrators & umpires are to be Rotarians
- Decision by arbitrators or umpire (if they can't agree) is final and binding
- Costs to be borne equally



Internal Club Dispute

- The club rules or constitution must provide a process of conflict resolution
- Train the board to be conflict competent
- Consider crucial conversations and plan them



Basis of Resolving Conflict

- Interest based
 - focuses relationships
- Rights based
 - Focuses on perceived legal entitlements
- Power based
 - Relies on the power of numbers or position



The 4 Way Test

of things we think, say or do:

- is it the truth
- is it fair to all concerned
- Will it build goodwill and better friendships
- Will it be beneficial to all concerned



Conflict Management Options

- Conflict coaching
- District conflict officer
- Mediation
- Conciliation
- Determination by a board or DG
- Arbitration

CLUB MEMBERS

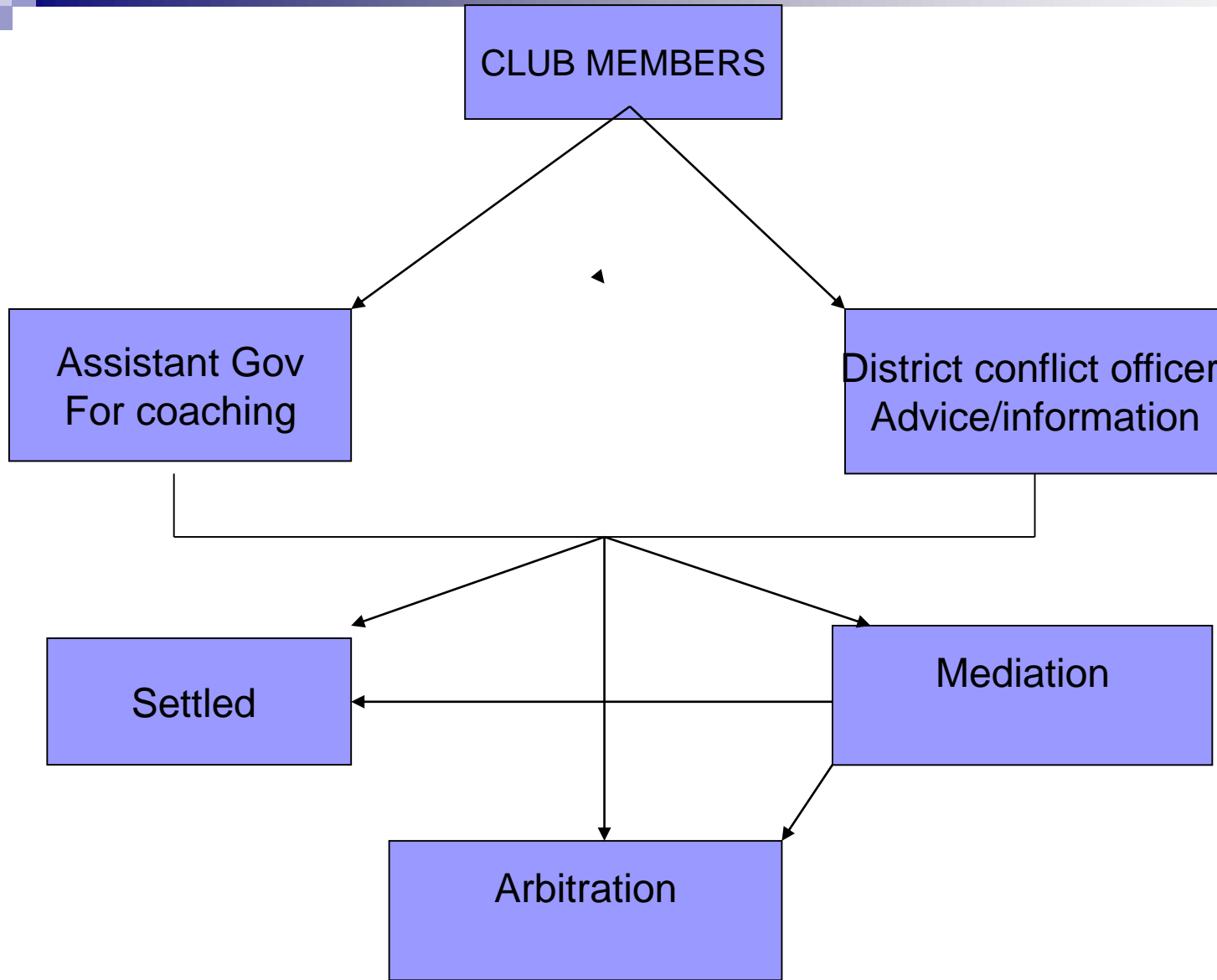
Assistant Gov
For coaching

District conflict officer
Advice/information

Settled

Mediation

Arbitration



Conclusion

- Traditionally, there has been a tendency for dispute avoidance, rather than resolution.
- Create conflict management skills within clubs & districts
- Resolve disputes at the lowest level
- If disputes cannot be resolved:
 - refer to district conflict officer,
 - if conflict is between clubs, members of other clubs, or with the district, refer to RI general secretary for mediation & if necessary, arbitration