

Section VIII

Part 2

Resolving Our Differences

Why We Need a Framework to help us Resolve our Differences

The “CLS Community” is a large and diverse group of people. It includes the individuals we support, their families and networks, all our employees, and our Board members. Additionally, our extended Community includes people who work for government and regulatory agencies, other service agencies and various professionals. CLS respects that all people are individuals with diverse backgrounds, life experiences, expectations, goals and objectives.

When this diversity is further complicated by different ways of communicating, situations will arise where differences (i.e. disputes or disagreements) may occur between two or more Community members. The following has been developed as a responsive and flexible framework to guide us in resolving our differences.

What Supports the Framework for Resolving our Differences?

CLS is rooted in the foundational Beliefs and Values developed by families on behalf of the individuals we support. For the purposes of this framework, these Beliefs and Values also apply to the relationships we build with all members of our Community and are reflections of the Canadian Charter of Rights and Freedoms:

- Each person is a unique individual, having intrinsic worth.
- Each person has the right to live a life of dignity.
- Each person must have his or her personal autonomy honoured at all times and any support given must empower the individual to make his or her own decisions.
- Each person must have the opportunity to live as a full and participating citizen in his or her own community.



We have a framework in place to support individuals, families, and employees work through their differences



The framework is built on our Values and the principles that are important to everyone who had input to the design

Our current Values also support the framework's philosophy:

We honour our past as we create the future.

We nurture hopes and dreams.

We promote a sense of purpose and belonging for everyone.

We respect and appreciate each person for who they are and the choices they make.

We create an environment of trust and commitment through listening and valuing individual contributions.

We are progressive and grow through our creativity, innovation and continuous learning.

We believe that healthy relationships are essential for our collective success.

We have the courage to take risks and challenge ourselves and each other.

We hold ourselves to the highest standards and are openly accountable for our actions.

We celebrate and have fun!

Principles for Resolving Our Differences

The development of the framework for resolving our differences involved input from CLS Community members and all Community members are considered equals in this framework. We are committed to making necessary improvements as needed. The following list summarizes the principles that guided its development. These principles hold equal importance and will help us as we utilize the framework:

- **Respect:** all members of the CLS Community will be respected for their own set of individual values and beliefs. We hold everyone responsible for upholding the dignity and worth of all members of the community. The respectful application of the framework relies on fairness and flexibility, offering equal opportunity as well as choice to meet different needs and sensitivities.
- **Openness:** the design of the framework relies on trust. Trust in the CLS Community is based on an open and honest dialogue or exchange of information throughout the organization. This will be based on facts and not hearsay.
- **Timeliness:** every effort will be made to deal with the situation at hand immediately and all parties are entitled to responses that take into consideration the schedules of everyone involved.
- **Confidentiality:** all parties are entitled to confidentiality in order to create an atmosphere of trust and safety. Those who are involved as facilitators or mediators will keep all information with regard to a particular situation confidential.
- **Learning:** the framework supports all members of the CLS community over time to empower themselves through understanding and learning new and different ways of doing things.

- **Accountability:** we recognize the importance of organizational and personal accountability in this framework, as well as our responsibilities to the individuals we support since they may be affected by our differences. Therefore, our goal is to honour the commitments we make to each other and to be accountable to each other in relation to our Beliefs and Values. As well, our focus will be on making the best use of the financial and other resources that are available.

The Options for Resolving Differences

Our framework is intended to provide structure and process when needed, while allowing for the flexibility to adapt to the needs of each unique situation. The following are methods that are available to assist in the resolution of differences:

- **Facilitation:** a process of communication that is assisted by someone who is not a party to the issue at hand.
- **Mediation:** a process for decision making or resolution of differences that is assisted by someone who is not a party to the issue at hand, and who does not make a recommendation or decision to resolve the difference.
- **Ombuds:** a person or persons identified in this role by CLS who can provide an independent and confidential listening ear, as well as consultation on how to solve the issue at hand. In addition, this person can be requested to act on your behalf.
- **Arbitration:** a process for the resolution of differences that is assisted by someone who is not a party to the issue at hand, and who hears the facts and gives a binding decision for the parties. The parties agree that the arbitrator's decision will be binding as a pre-condition to arbitration.

The names of people available to act in the capacities described above can be found on the Resource List as noted below. When any or all of the above methods have not resulted in successful resolution of the matter, the CLS Board of Directors may make a final decision on behalf of the Society.

The Framework for Everyone in the CLS Community

First Work Together to Resolve the Problem

The first steps may look like this:

- If you have a complaint about an incident involving a CLS employee or a CLS family member, you should first discuss the



**Most problems
can be successfully
resolved
through informal
discussions**

Help is there for everyone when they need it



issue with that person. If you find you are not able to approach the person directly, you should seek assistance from the supervisor. If your conflict involves the supervisor or you do not feel comfortable discussing the issue with the supervisor, you should contact any Director.

- In the case of families, if the nature of the difference is with other family members or even professionals who are part of the CLS Community, you should first discuss the issue with that person.
- If the situation is serious, (e.g. someone's health or safety is at risk) you should contact any Director immediately. Directors can be reached by calling the CLS Administrative Office.
- You may directly contact the Executive Director or you may bring concerns or complaints directly to the Board of Directors or to the Executive Board members of CLS. The latter may be especially necessary if the incident/complaint involves the Executive Director or someone who reports to the Executive Director (e.g. a Director, or the Director of Employee Services, or the Director of Financial Services) if you do not feel comfortable approaching them directly.

What Happens if You Need More Help?

If you have tried unsuccessfully to resolve the issue at hand directly with the party(ies) involved, you can contact someone who is not involved in the matter who will help you get it resolved. Employee Services Advisors will help you at this stage. They can provide services to assist you directly and they also maintain a list of other internal as well as external facilitators who are authorized to work with you. This is called the Resource List.

The Resource List



It is up to you to make the initial contact with someone on the Resource List who can help you. This may involve calling more than one person on the list. Once you have found someone you can work with, tell them about your situation. Their job will be to assess the information they receive and to advise you on strategies for resolution. They may also be able to intervene or mediate, or refer you to someone who can.

Internal resources (e.g. supervisor, managers and administrative personnel) will not intervene in the issue at hand without first establishing that you have tried to resolve the issue directly with the other(s) involved or explain why that was not feasible. CLS only authorizes the use of an external resource if you have first consulted with available internal resources, and they have been unable to assist you.

The following facilitators may be on the Resource List:

- Employees who normally have other jobs at CLS, who have been trained to act as advisors and/or interveners in this type of situation, including Directors, Coordinators and non-supervisory employees.
- Employees who advise and/or intervene in this type of situation as part of their normal job, including CLS Employee Services Advisors.
- People from the CLS community who have been trained to act as advisors and/or interveners in this type of situation, who may include family and networks of supported individuals and members of Family Link who are not CLS Board members.
- Professionals who are not members of the CLS Community, who do facilitation, mediation or arbitration.
- Someone identified as a CLS Ombuds.

From time to time, people may feel that they cannot approach anyone within CLS to help them resolve a difference. If you feel that you are in such a situation, you may call someone from the Resource List who is external to CLS. They will first verify that you have tried to use internal resources, and that your situation meets CLS's guidelines for external intervention. If you choose mediation, facilitation or arbitration, you may work with anyone on the Resource List who is acceptable to both you and the other party/parties. Families may wish to contact Family Link as a family-to-family resource and support.

All contacts and communication with Employee Services and with facilitators on the Resource List will be kept confidential. No records of any discussions or agreements under this policy will be put in an employee's personnel file unless requested by the employee. Report of a conflict situation does not trigger the process of progressive discipline as defined in Section III, Part 4.

Resolving our Differences is an informal process. Therefore, allegations made during discussions held under this policy/procedure will be treated simply as allegations and will not be treated as evidence. No disciplinary action against an employee can result from use of this policy/procedure, unless the parties have agreed to use arbitration, and the arbitration results in such action. Reporting of abuse, harassment and critical incidents (*See Section III, Part 4*) must be done according to other policies, and independent of the use of this policy. Likewise, resolving questions of job requirements, competencies and performance



**Everyone, families,
those we support,
employees, can
feel comfortable
that our goal is
to support the
resolution of
differences in a
respectful way**

standards, and progressive discipline are separate processes from Resolving Our Differences.

When you and the other party agree on a method for resolving your difference and subsequently come to an agreement, or receive a binding decision through arbitration, there is no appeal. However, if the intended outcome is unsuccessful you can try again.

What if someone has raised a concern or complaint about you?

If you are on the receiving end of a complaint that is being handled under this policy/procedure, you have the same rights and responsibilities as someone who initiates a complaint. You do not have to agree to a method of resolution proposed by the other party. You are entitled to choose your own advocate or advisor. If the dispute goes to mediation or arbitration, you may work with anyone on the Resource List who is acceptable to both you and the other party/parties.

What if there is a disagreement about the process to use, or who to use from the Resource List?

If you and the other party(ies) are unable to agree about how to resolve a situation satisfactorily, you should involve the supervisors, if appropriate. If you are unable, or it is not appropriate, to reach agreement at that level you should then contact any of the Regional Coordinators. If, after all this, you still cannot agree about the method to use, you may refer it in writing to the Executive Director, and/or the Director of Employee Services and/or a CLS Ombuds. They will respond within two weeks. They or you may then refer the matter, in writing, to the Chair of the Board of Directors. The Board of Directors may either make a decision on the issue on behalf of the Society, or decide what process will apply. That decision is final and binding.

How will we monitor the framework?

We expect that this will be a work in progress and we will make continual improvements to the framework. This will be based on feedback about both the process and those who help us with it. Facilitators from the Resource List will be evaluated and the Resource List continually updated as necessary.