

B.MSCA Dispute Resolution Process

MSCA Dispute Resolution Process

The Board shall use the following process to resolve disputes:

A Board member who perceives a problem or concern shall discuss it privately with the individual(s) involved. When a Board member is approached with a problem regarding another Board member, he/she should redirect the conflict to the person involved immediately without discussion with other board members.

If a private discussion does not yield satisfactory results, an attempt shall be made to secure a mutually agreed upon Board member(s) to serve as mediator(s).

If the issue is not resolved through mediation, the matter shall be brought before the whole Board and should not be discussed with others.

If an issue is brought to the Board, the disputants shall provide a written explanation that addresses:

- Problem, issue or concern in question
- Behavior by an individual or group of Board members that exhibited the problem or issue
- Consequence of the behavior
- Impact on the organization and to the Board; specifically, does it hurt the organization, does it hinder the effectiveness of the Board or is it a personal issue outside the bounds of the Board?

The Board shall

- Review written explanations
- Offer the disputants an opportunity to state what they are willing to do to resolve the problem
- Make/offer suggestions for possible resolution to problem
- Give disputants further opportunity to resolve the problem.

If a resolution still cannot be reached, the Board shall collectively agree on a course of action to address the problem issue or concern, using the FRISK model.

Fact: State the facts of the action or event that occurred.

Rule: State the rule or policy that the action or event violated.

Impact: State the impact of the action or event on the Association.

Suggestion: Suggest ways that the person should act to avoid or handle similar issues or situations in the future.

Knowledge: Provide any knowledge, assistance or training the person may need to carry out the suggestions. After an issue has been resolved, the Board shall collectively agree on measures to prevent the problems from recurring in the future or a course of action to address the problem if it recurs.

The Board shall ensure that due process is afforded to all parties throughout the dispute resolution proceedings. The Board shall handle/address disputes in Executive Session.