

Learning in Peace



A Model for Violence-Free Adult Literacy programs

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Introduction

Violence and Learning

"Unless education at all levels acknowledges the violence... and its impact on learning, many students will not only fail to learn, but may also experience the educational setting as a silencing place, or another site of violence, where they are controlled, diminished and shamed by institutional structures or classroom interactions."

Jenny Horsman

Research over the last twenty years into violence and learning has alerted the literacy community to the fact that violence is a reality for all individuals in society including the learners in adult literacy programs. Researchers have also learned that the experience of violence has a negative impact on a person's potential to learn. Research by Jenny Horsman and colleagues has shown the positive impact that recognizing and addressing issues of violence can have on learning. In their *Women, Violence and Adult Education* project, the impacts were clear. The women experienced increased self-esteem, produced powerful pieces of writing, were able to be more present in the learning situation, and were better able to learn and to imagine changes in their lives.

In our society we tend to omit any discussion of violence from adult education programs. We avoid discussing the issue of violence even though it is quite common and everyone in society has experienced or witnessed some degree of structural or interpersonal violence. This leads to the false belief that only a few individuals experience violence and that violence must be dealt with somewhere far away from the learning context. Except for recent efforts by a handful of researchers, violence and learning are rarely considered in combination.

According to Jenny Horsman and colleagues the way we conceptualize violence in our society leads to the perpetuation of these messages:

- We should not see it;
- We should not get involved with it;
- It's just the way it is and has always been;
- It would be naïve to imagine a world without violence; and
- Violence is an aberration perpetuated by "others" who are insane or out of control

These messages represent a narrow and stereotypical understanding of violence. They make it easy for us to ignore violence and especially ignore the notion of structural violence – the violence that is built into our institutions. Violence is woven into the fabric of our culture and the foundations of our institutions in such complex ways that all of us experience and perpetuate violence to varying degrees.



The Challenge

As educators, we can no longer ignore the impact of violence on learning. Adult literacy programs are faced with the challenge of acknowledging the impact of violence in the broadest sense of the term and becoming proactive in creating safe learning environments. Incidents of violence, discrimination, harassment, conflict, stereotyping, and misunderstanding can and do happen in adult literacy programs and can have an impact on the safety of learners and the quality of learning. When there is silence around the issues of violence, discrimination, and conflict, there is an implication that it is acceptable. When these issues are brought out and openly discussed the negative impact is reduced, the incidents decrease, and the atmosphere in the adult literacy program is more conducive to learning.

As educators, literacy workers have a responsibility to acknowledge that violence exists in society and to promote an educational model that has peace and respect for diversity at its core. We have wonderful opportunities to make conflicts into teachable moments with the learners who come to adult literacy programs. Conflict prevention and conflict resolution then become part of the curriculum rather than an interruption. Adult literacy programs can be leaders in modelling a community that does not tolerate violence in any form and actually shows participants how to manage conflict, communicate in proactive ways, and promote peaceful resolutions. This is an essential part of a holistic learning program where it is acknowledged that, when a person comes to an adult literacy program, their learning is not limited to reading and writing. What they learn in an adult literacy program will impact them in their lives at home, at work, and in the community.

As employers, adult literacy programs have a responsibility to provide an environment that is free of harassment and discrimination. Adult literacy programs in Ontario have a responsibility to uphold both the Canadian Human Rights Act and the Ontario Human Rights Code.

Adult literacy programs can work towards building learning and working environments that are free of violence, discrimination, and harassment. We can do this by openly acknowledging the existence and impacts of violence, discrimination, and harassment, by encouraging proactive communication about the issues, and by adopting the practice of resolving conflicts before they escalate.

For adult literacy programs to teach and model good conflict resolution skills, it is essential to have well developed policies and procedures in place. This document has been written to accompany a workbook for learners called *Making it Work* that is about positive communication in the workplace environment. The goal of this document is to offer adult literacy programs a valuable and holistic resource that will assist in developing policies and procedures to deal with conflict in a proactive way.



Violence in the Broadest Sense

“Violence is anything that denies human integrity, and leads to hopelessness and helplessness.”

Martin Luther King, Jr.

This broad definition of violence from Martin Luther King, Jr. allows us to include many forms of violence such as verbal disagreements, insults, racist and sexist jokes, discrimination, harassment, verbal assault, and physical assault. This definition also allows us to identify both interpersonal and structural violence. When we see these forms of violence as existing on a continuum it allows us to acknowledge that violence is experienced and perpetuated to varying degrees by everyone in society. Then we can also acknowledge that the violence experienced by learners is not abnormal. This, in turn, makes it easier to discuss the impact of violence and engage learners to create safety in adult literacy programs.

Both interpersonal and structural violence involve imbalances of power. For many individuals who feel they have little power over their own lives, it is often because they have been victims of some form of violence at home or in the community. For others who feel this way, often due to systemic factors, violent behaviour has been one of the few ways they have had for exercising power. Some people in adult literacy programs may be experiencing ongoing trauma because of the violence they have witnessed or experienced. This may impact their ability to cope with conflict.

Many learners who come to adult literacy programs have a history of violence, either as a victim or as a perpetrator. Often there has been a lot of silence around the violence they have experienced. The silence implies acceptance that, at some level, may have allowed the violence to continue.

These realities challenge us to see all the factors that lead to violence and take a holistic approach to eliminating every form of violence from our programs.

Eliminating violence from our programs requires a **culture of peace, safety, and respect**.

This culture must:

- Promote an atmosphere where everyone feels included
- Make people feel safe
- Celebrate diversity in positive ways
- Give people the opportunity to exercise some power through involvement
- Recognize the contributions of participants
- Declare no tolerance for violence, discrimination, and harassment
- Encourage proactive conflict resolution
- Support complaints about discrimination and harassment
- Offer training opportunities to learn about diversity, positive communication, and conflict resolution



Learning in Peace Model

The *Learning in Peace Model* on page 5 contains four values and ten strategies to address each of the preceding points about creating a culture of peace, safety, and respect.

Beliefs that Inform the Learning in Peace Model

- Conflict, discrimination, and harassment can and do happen in adult literacy programs and impact our ability to manage and promote a healthy learning environment.
- Many learners' lives have been impacted by violence and may have resulted in the use of a coercive method to handling conflict (e.g. harassment, intimidation, or threats.)
- Many adults are not experienced in communicating their needs in a proactive way.
- Adult literacy programs offer an important learning opportunity and have a responsibility to be proactive in their response to any form of violence.
- All relationships have inherent power differences that can cause tension and conflict.
- The goal of conflict resolution is to acknowledge differences and find common ground.
- Violence prevention is most successful when alternate routes to finding power are provided (e.g. leadership training, opportunities to participate, or recognition.)

Role of Power

Power is always present in societal structures, in interpersonal relationships, and at the individual level. It is easy to see how, at the societal level, some groups have more power than others. For example, rich people as a group have more power than poor people. However, it is important to recognize that power differences can also exist at the individual level. Depending on the situation, the power held by an individual can increase or decrease. A person with a disability, for instance, will have reduced power in a situation requiring them to enter a building that is not wheelchair accessible. On the other hand, the same person will hold more power in a different situation, if, for example, they are the leader of a local disability association.

Power is almost always present in any incident of conflict, discrimination, or harassment. It is necessary to acknowledge the presence of power and act towards balancing power to successfully resolve a conflict or a complaint. A common strategy for balancing power in a mediation setting is to have the person holding the least power speak first.

A more in-depth discussion on power imbalance in conflict is found on page 10 of the sample policy in Appendix A. The discussion includes examples of strategies for balancing the power differences during the conflict resolution, mediation or complaint process.

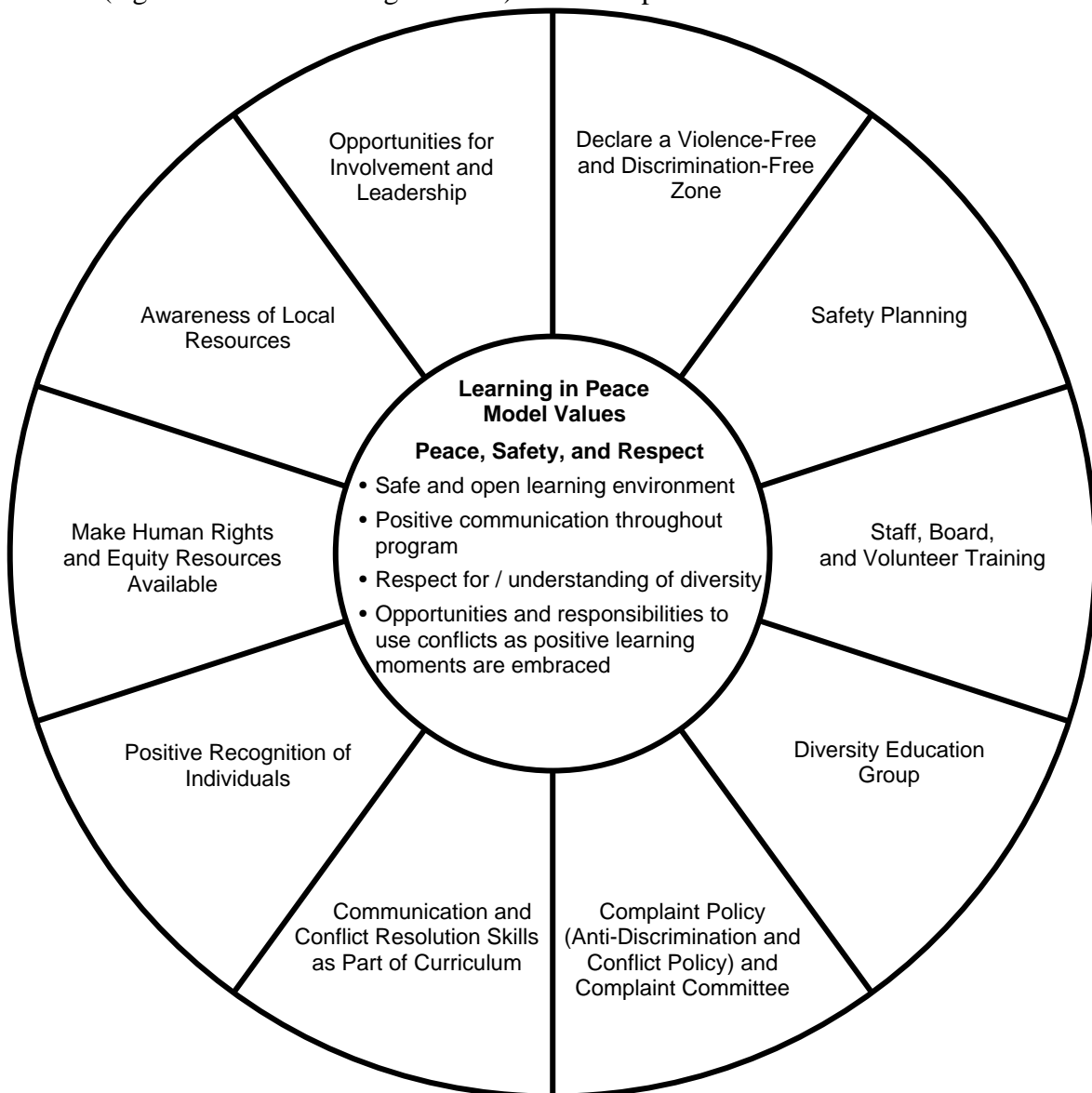
Values of a Culture of Peace, Safety, and Respect

The four statements at the centre of the *Learning in Peace Model* are the values that the adult literacy program adopts and promotes in order to create a culture of peace, safety, and respect.



Strategies for a Culture of Peace, Safety, and Respect

The adult literacy program uses the 10 strategies on the outer circle to create the culture and apply the values. Practicing all strategies is ideal as they are equally important and represent a holistic model. With this model, the program can use whichever strategies are appropriate and, since they form a circle, implementation can begin anywhere. If the model seems daunting, a long-term plan for putting each strategy into place can be considered. Some programs may already use certain strategies but others might not be able to implement all strategies immediately. The adoption of any of these strategies will contribute to the values in the centre, but a conflict resolution and/or anti-discrimination policy is crucial to building a culture of peace, safety, and respect. Most programs have such a policy in place for staff. If developing a policy that applies to learners is not possible then educating learners about human rights legislations (e.g. Ontario Human Rights Code) will be important.



Learning in Peace Model



Strategies in the Learning in Peace Model

Declare a Violence-Free and Discrimination-Free Zone

The adult literacy program makes its stance on violence and discrimination known in a number of different ways:

- All volunteers and learners are asked to read (or have read to them) an agreement that includes information about the Complaint Policy and the code of conduct. The agreement outlines the expectations of the program and what the individual can expect. It clearly states the program's commitment to providing a safe environment. Sample agreements for learners, tutors, and volunteers have been included in Appendix B.
- The adult literacy program posts easy-to-read "Violence and Discrimination-Free" signs in visible areas of the centre.
- The program shows new members that copies of the Complaint Policy are available in the resource library and encourages learner-tutor pairs to read it together.
- The staff makes every effort to promote an atmosphere that encourages learning from conflict.

Safety Planning

The adult literacy program has a safety plan in place for learners, staff, and volunteers. The safety plan includes guidelines about dealing with threatening situations in the program, exit plans, and crisis intervention training.

The adult literacy program has a code of conduct for all members that stresses a commitment to equity, respect, and safety. The code of conduct also describes the disciplinary action that may be taken when the code of conduct is broken. When a member of the adult literacy program acts physically violent or threatens to use physical violence, the adult literacy program takes disciplinary action immediately. Such action sends a clear message that violence will not be tolerated.

Depending on the severity of the incident, the disciplinary action can involve a warning, a reprimand, or the member will be suspended from the program for an appropriate amount of time or indefinitely, as the situation warrants.

Staff, Board, and Volunteer Training

The adult literacy program provides training in human rights, anti-discrimination, and the impact of violence on learning for all staff, volunteers, and Board members as part of their orientation. Where possible, this training is provided on an ongoing basis. Time is available during the weekly staff meetings to share updates and concerns about any potential incident or safety concern.



Diversity Education Group

The Diversity Education Group is a group of learners, staff, and Board members whose goal is to promote a positive and inclusive atmosphere that has an open dialogue about diversity. This group can make recommendations to the Board on the Complaint Policy (combined anti-discrimination and conflict resolution policy). This group also actively plans and delivers ongoing learning opportunities and workshops to discuss issues such as human rights, racism, discrimination, poverty, health, and cultural awareness, that are open to everyone in the adult literacy program.

Complaint Policy and Committee

The program has a clear, well-developed policy that includes procedures for complaints and conflict resolution through mediation. A sample policy for the fictitious ‘Adult Literacy’ program is found in Appendix A.

The program has an ad hoc committee of three members (one Board member, one staff member, and one program advocate). The committee oversees the Complaint Policy and facilitates the complaint process. These members have training in human rights, anti-discrimination, and conflict resolution.

The program advocate is the only standing member of the committee and plays a role in advising people who come forward with complaints, and in facilitating the conflict resolution processes. This person should have a background in human rights or human resources. (Adult literacy programs can approach corporations to ask that they donate time by having one of their experts act on the Board or play the role of the program advocate). The roles of the Complaint Committee and program advocate are further outlined in the sample policy in Appendix A.

The program director and other program staff encourage members of the adult literacy program to use the Complaint Policy to resolve conflicts and complaints. They refer people to the program advocate. The program director works closely with the program advocate to be kept up-to-date on any complaints that come forward and also to assist in advising on what steps should be taken in the complaint process.

Since the program advocate may not be in the program everyday, the program director or another designated staff member is often the first line of contact for complaints that come forward and will refer the person to the program advocate. When it is not possible to have a volunteer program advocate, a Board member will take on this role until the Board appoints someone. If a complaint is made about the program director, the program advocate, or the entire program, the Board may seek the advice of an outside expert.



Communication and Conflict Resolution Skills as Part of Curriculum

Learners may include communication issues as part of their training plans. Learning materials for both one-to-one and small group training include an emphasis on positive communication skills and conflict resolution. The adult literacy program provides workbooks, case studies, activities, and time for practicing these skills in its programming. The adult literacy program can also provide leadership training for learners who want to act as peer mediators or peer mentors.

Positive Recognition of Individuals

The adult literacy program as part of its everyday programming actively recognizes the contributions of participants. It does this in a number of ways:

- Having five minutes at the start of group times where learners share their recognition of someone else in the program
- Encouraging writing exercises where learners can write a statement recognizing another person
- Posting recognitions on a designated bulletin board
- Inviting members to write letters to the director or Board recognizing another person
- Annual recognition events where learners are recognized for participation and achieving goals
- Ongoing and annual volunteer recognition
- Learner of the month awards
- Inviting learners to take leadership or mentoring roles
- Offering learners specialized training for leadership in a variety of areas
- Building a sense of community and belonging through social events and a welcoming and relaxed atmosphere
- Partnering with other agencies to provide on-site counselling and other supports to recognize the needs of the whole person

Whenever possible, ongoing special events such as potlucks, picnics, annual general meetings, and workshops are used as opportunities to recognize the contributions of members.

Recognition is a key part of this model. Creating a positive and upbeat program where people feel confident that their efforts will be rewarded makes people more inclined to strive for the best and recognize the positive aspects of themselves and others. This type of recognition is part of the model for the **Peace Power** strategy. Information about **Peace Power** can be found in the Web Resources section on page 20.



Make Human Rights and Equity Resources Available

In the adult literacy program's resource centre there are books and resources that discuss issues in human rights and equity. The resource library contains stories about people from diverse backgrounds that reflect diversity in race, gender, class, ability, and sexual orientation. The adult literacy program makes an effort to ensure that the resources are up to date, thought provoking, and reflective of our multicultural heritage.

Awareness of Local Resources

The adult literacy program is aware of and has connections to a person or group that specializes in human resources, conflict resolution, and mediation. The adult literacy program is also connected to resources for human rights, diversity, and equity in order to obtain learning materials, seek advice, and provide training for its members.

The adult literacy program tries to make access to counselling easy and safe. The program has onsite counselling offered through a partnership with a non-profit counselling centre. Counsellors can be asked to offer onsite workshops such as assertiveness training, anger management, and boundary setting.


Opportunities for Involvement and Leadership

The adult literacy program has designated places on the Board for learners. When this is not possible the adult literacy program provides opportunities for learners to be involved in planning and preparations for workshops and learning activities. The program offers leadership training for learners who want to be involved with different levels of the organization.



Responding to Degrees of Violence, Discrimination and Conflict

It is important to recognize the different degrees of violence, discrimination, and conflict and use appropriate responses at each level. Below is a guideline for responding to the types of violence, discrimination and conflict that can happen in adult literacy programs.

Increasing degrees of violence 							
	Lack of Awareness	Disagreement	Unequal Access to Resources	Unfair Treatment / Discrimination	Racism / Discrimination	Harassment	Physical Violence
Example of behaviour	<p>One-time incident</p> <p>Racist joke or comment</p> <p>Stereotyping</p> <p>Generalizing comments about groups</p>	<p>Interpersonal disagreements</p> <p>Conflict arising from a historical ethnic conflict</p>	<p>One learner not given equal time on computer as other learners</p>	<p>A person feels they are being dealt with unfairly because of their identity</p>	<p>Ongoing racist or stereotyping comments or actions</p> <p>Continued inappropriate racist comments or name calling even after being told it is inappropriate</p>	<p>Unwanted physical touch</p> <p>Verbal put downs</p>	<p>Physical Assault</p> <p>Verbal Assault</p> <p>Throwing objects</p> <p>Carrying a weapon</p> <p>Threat of physical violence</p>
Who should respond?	<p>Program Director</p> <p>Program Advocate</p> <p>Staff</p> <p>Diversity Education Group</p>	<p>Program Director</p> <p>Program Advocate</p> <p>Staff</p>	<p>Program Director</p> <p>Program Advocate</p>	<p>Program Director</p> <p>Program Advocate</p> <p>Complaint Committee</p> <p>External Investigator/ Mediator</p>	<p>Program Director</p> <p>Program Advocate</p> <p>Staff</p> <p>Diversity Education Group</p>	<p>Program Director</p> <p>Program Advocate</p> <p>Complaint Committee</p> <p>External Investigator/ Mediator</p>	<p>Program Director</p> <p>Other Designated Staff</p>
Appropriate response	<p>Meeting with the Director, Staff, or program advocate</p> <p>Workshops</p> <p>Learning Opportunities</p>	<p>Mediation</p> <p>Formal Complaint</p> <p>Workshops</p>	<p>Mediation</p> <p>Formal Complaint</p>	<p>Mediation</p> <p>Formal Complaint</p> <p>Investigation</p> <p>Workshops</p> <p>Learning Opportunities</p>	<p>Meeting with Director or program advocate</p> <p>Formal Complaint</p> <p>Workshops</p> <p>Learning opportunities</p> <p>Disciplinary Action may be necessary</p>	<p>Mediation</p> <p>Formal Complaint</p> <p>Investigation</p> <p>Workshops</p> <p>Learning Opportunities</p>	<p>Disciplinary Action</p> <p>Workshops</p> <p>Learning Opportunities</p>



It is important to recognize that the preceding table is only a guideline. These degrees are not fixed and there may be times when certain behaviour will require the response of a 'higher degree'. This guideline reflects the complaint process, Part 6 in the sample policy. The goal of the response is always to keep communication open, to assert a standard of behaviour in the program, to maximize learning and understanding, and to make sure that the program is safe for everyone.

In some cases discrimination can be due to a lack of awareness and in other cases the person may be using discrimination to assert power over another person or group of persons. Some judgment is needed to realize what degree of response is appropriate. A one-time incident would be treated very differently than an ongoing series of incidents where the person has been warned or knows better.

It needs to be recognized that when an incident happens it has an impact on the whole program. There may be one process for the perpetrator, another for the victim, while the other learners may need to debrief through dialogue, workshops, or other learning opportunities.

For example, in a case of sexual harassment the perpetrator may be given disciplinary action, the victim, counselling and support, and the other program members may have to be reassured that the incident was dealt with fairly. If there are strong feelings that show that others do not understand the issue or have safety concerns, a workshop or learning opportunity may be needed.

In the sample complaint policy in Appendix A the approach is to encourage resolution through dialogue (oral or written) or mediation in almost all cases of conflict, discrimination, or harassment. This is because having people come together to talk and listen to each other provides the best opportunity to learn from the incident and to learn how to deal with future incidents. People who come forward with complaints are therefore encouraged to try mediation or informal resolution, and if these steps don't work they are given options for formal investigations and proceedings.



Case Studies

Applying the *Learning in Peace Model* and Complaint Policy at ‘Adult Literacy’

This section shows examples of how the Learning in Peace Model and the Complaint Policy can be applied in an adult literacy program. Most real world examples of conflict are very complex and do not easily fit into a single solution. With that in mind, the following examples contain a number of issues where a combination of responses is used. The name of the literacy organization in these cases and in the sample complaint policy is the ‘Adult Literacy’ program.

Case 1: Group Conflict

One of the learner-run programs at the ‘Adult Literacy’ program is the tuck shop. The learners sell snacks and small stationary items. Learners who work in the tuck shop acquire skills that can be used for future employment. As such, the tuck shop is structured with scheduled shifts and a manager position, held by a learner. The tuck shop workers hold monthly meetings and there is also a cash float that needs to be kept balanced. There is a staff person that advises and helps the manager and others to operate the tuck shop and facilitate the meetings.

Bassam is the tuck shop manager. The staff person who facilitated the tuck shop left the program and that position remained vacant for over a month. During that time Bassam was managing the tuck shop alone. No other staff persons at the ‘Adult Literacy’ program were able to help and the staff felt that Bassam could manage alone as he knew more about the tuck shop than the remaining staff members.

Shortly after the staff person left, some of the tuck shop learners began not showing up for shifts and meetings. Also, Bassam noticed some money missing from the cash float. Bassam tried speaking with the tuck shop workers individually but they avoided him and refused to engage in discussion. Bassam informed the staff, but they were slow to respond. Bassam decided to seek the advice of the program advocate.

The program advocate helped Bassam decide what to do. It was suggested that Bassam and the rest of the tuck shop group come together and use issue-based problem solving to identify the issues and brainstorm solutions.

Three issues were identified:

- Missing shifts and meetings
- Missing money
- Lack of staff involvement



Case 1: Group Conflict, Continued

After brainstorming and discussing options for solutions, the following solutions were agreed on:

- **Missing shifts and meetings:** Since the tuck shop is a kind of job training, learners who work the tuck shop need to treat it like employment. Therefore, if a worker is going to be absent from a meeting they must inform Bassam in advance. Likewise, if they are going to miss a shift they must inform Bassam early enough that a replacement can be found. There will also be a 'three strike' rule where the first time a worker misses a shift or meeting it will be noted. If it happens again the worker will receive a warning and, finally, if it happens a third time the worker will be asked to leave the tuck shop.
- **Missing money:** Each tuck shop worker will have their own float that they will need to balance at the end of each shift. The workers will have to get another worker or the staff facilitator to double check that the float is balanced.
- **Lack of staff involvement:** The group decided to make a formal complaint in writing about the lack of staff involvement in the tuck shop and the importance of having a staff person facilitate the tuck shop.

All of the group members signed an agreement containing the three solutions.

The program advocate helped the group to write a formal complaint. The program advocate presented the complaint to the staff. The staff came together to discuss the complaint and some possible solutions. The staff responded to the complaint by agreeing to commit one staff member to the role of facilitating the tuck shop until they were able to hire a replacement facilitator. The tuck shop group was satisfied with the response.



Case 2: Interpersonal Conflict Involving Physical Violence

An incident occurred just prior to one of the group learning sessions at the ‘Adult Literacy’ program. Two learners, Shareene and Emily, became involved in a conflict and though the entire group witnessed it, the group facilitator was not in the room at the time.

By the time the group facilitator had returned, Shareene had left the building and Emily was in a corner looking very upset. The entire group was talking and whispering about what had happened. A couple of members of the group were trying to comfort Emily.

The group facilitator took Emily to another room and asked her what happened. She learned that Shareene and Emily were arguing and raised their voices and then Emily slapped Shareene in the face. That’s when Shareene left the building. Emily expressed that she was worried about what would happen to her. She was concerned about being punished and wanted to apologize.

The group facilitator responded to this incident on a few levels:

1. Since Emily behaved in a violent way, the group facilitator referred Emily to the program director. The program director spoke with Emily about how slapping was a form of physical violence and that violence of any kind was not tolerated in the program. She decided not to remove Emily from the program but Emily was warned if she acted out violently again that the response would be serious and require that she leave the program.
2. Meanwhile the group facilitator returned to the group and immediately began a discussion about conflict, witnessing conflict, and the consequences of gossiping about other people in the program. The group discussed the notion of respect for privacy and agreed to keep confidential everything that happens in the group room before, during, and after group. The group facilitator then gave a journal exercise to the group so they would be able to reflect on what they saw and how it made them feel.
3. Emily felt awful about slapping Shareene and really wanted to apologize. The program director and Emily both went to the program advocate to get advice about the best way for Emily to apologize to Shareene. The program advocate recommended that they get together in a mediation setting with the program advocate where Emily could apologize and they could all discuss the issues around Shareene’s tendency to speak loudly and Emily’s discomfort with loud voices. Shareene talked about how she is always being told that her voice is too loud and sometimes she responds by getting defensive. Emily talked about how loud voices remind her of past experiences that were unsafe for her. While Shareene agreed to work on keeping her voice down, Emily agreed to come up with an action plan for when she feels uncomfortable due to loud noise.
4. The group facilitator asked that the Diversity Education Group put on a workshop about assertiveness, active listening, and positive communication for everyone in the program. Both Shareene and Emily felt that they would benefit from such a workshop.



Case 3: Discrimination Complaint

The position of computer facilitator at the ‘Adult Literacy’ program was vacant for nearly three months before Tanya was hired. During the three months that there was no computer facilitator, Chen, a long-time front desk volunteer at the ‘Adult Literacy’ program, volunteered to facilitate the computer groups in addition to his front desk duties.

When Tanya started her first shift, Chen had already arrived and was performing his usual volunteer duties. Chen asked if Tanya wanted him to show her some of the computer programs and adaptive technologies. Tanya explained that she preferred to learn on her own by exploring and trying out the programs. During Tanya’s second shift later in the week the learners were asking Chen for help. Tanya asked Chen if she could help the learners this time so she could get to know everyone.

Chen stopped attending the computer groups and went back to his front desk position. The following week, Chen stormed into the program director’s office and demanded to make a formal discrimination complaint against Tanya. He also wanted to make a complaint to the Board about the ‘Adult Literacy’ program’s treatment of volunteers. The program director recommended that Chen speak with the program advocate.

Chen told the program advocate that he wanted to make a formal written complaint against Tanya for discrimination based on race, gender, and ability. Chen felt that there was a power imbalance because Tanya was a staff member and he was a volunteer and had previously been a learner with the ‘Adult Literacy’ program. Additionally, since he was from a minority group, Chen felt he was being treated differently. He also felt that he could not confront Tanya directly due to his mental health problems. In addition, he told the program advocate that he wanted to make a complaint to the Board about the treatment of volunteers at the ‘Adult Literacy’ program. He felt that volunteers were used when it was convenient for the program and then discarded when the program no longer needed them.

The program advocate helped Chen to write a formal complaint of discrimination based on race, gender, and ability. His complaint was that Tanya refused to take his help because he was not a paid staff member, treated him differently due to his race and gender, and avoided him. He wanted a written apology from Tanya and wanted to be able to continue helping with the computer groups the way he was before Tanya arrived. For Chen’s complaint about the ‘Adult Literacy’ program’s treatment of volunteers, the advocate suggested that Chen let the Diversity Education Group bring his concerns to the Board. Chen agreed and she helped him to write out his concerns to give to the Diversity Education Group.

The program advocate gave the complaint to Tanya. Tanya responded with an apology, stating that she did not mean to cause any harm and that she was only trying to learn her job in the way that was best for her. She responded that she was willing to have Chen volunteer for her computer groups again.



Case 3: Discrimination Complaint, Continued

Chen was not satisfied with Tanya's response. He felt that he could not work with Tanya and that an apology was not enough. He felt that the power imbalance was not dealt with and that Tanya's discriminatory behaviour would be allowed to continue. Chen wanted to take the next step in the complaint process, to have an external investigator and mediator come in. The program advocate arranged for an outside investigator, a mediator with a strong background in human rights.

The outside investigator met with both Chen and Tanya separately. The investigator recommended that Chen and Tanya go through a mediation process with him. To balance the power in the mediation Chen was allowed to speak first, and the following people were asked to join:

- The program advocate to act as a second mediator
- A support person of Chen's choice
- Another staff member to support Tanya

During the mediation the interests of both individuals were explored. Chen was volunteering for the computer group because he wanted to put it on his college applications. When Tanya arrived he felt that he was no longer needed. Also, he was re-living previous experiences of discrimination when Tanya refused his help. Tanya wanted to do a good job in her new position and was concerned that watching Chen demonstrate the computer programs or letting Chen help all the learners would reflect poorly on her performance. She also explained that she preferred to be the leader in a situation and she felt threatened by Chen's knowledge and ability with the learners.

Although the mediation process took a long time, Chen and Tanya were able to reach an agreement. They agreed to:

- Add a computer group for Chen to run at a time when Tanya does not normally work
- Meet monthly to discuss each of the groups and share knowledge and information
- Include support persons in these meetings until they were comfortable working together

This solution worked well for Tanya because it lightened the load from the other two scheduled computer groups. It worked well for Chen because it allowed him to contribute to the program and also gain skills and experience that could help him with his college applications. The program advocate met with Chen and Tanya after two weeks to follow-up and found that each person was following the agreement and that the agreement was working.

The Diversity Education Group took Chen's concerns to the Board with some suggestions of how the 'Adult Literacy' program could better recognize their volunteers. The Diversity Education group was given the responsibility of implementing some volunteer recognition strategies, starting with a volunteer appreciation night.



Case 4: Harassment Complaint

One Wednesday morning the literacy coordinator received a phone call from a tutor. This tutor informed the coordinator that, during a tutoring session on the previous evening, both he and his learner overheard another tutor insult the learner she was working with, calling her stupid. The tutor recognized the other tutor's voice and was certain her name was Sandra. The coordinator thanked the tutor for informing her and assured him that she would look into the incident.

The tutor was Sandra and the learner was Nina. Sandra had recently become a volunteer tutor. Nina was a new learner who decided to come to the 'Adult Literacy' program to work on her math and spelling. Nina and Sandra met every Tuesday evening to work on Nina's learning goals. They had been meeting for two months.

The coordinator originally decided to speak with Nina when she came in for the math group on Friday, but she did not show up. The coordinator then decided to try to meet with Nina on the following Tuesday before her tutoring session with Sandra, but Nina was, again, absent. Sandra was very upset that Nina did not show up for their session. She expressed her frustration to the coordinator and stated that if Nina continued to skip her sessions she would like to be re-matched with a more dedicated learner. The coordinator told Sandra that it was important to learn why Nina did not show up for the session before judging her and that she would try to speak with Nina this week.

The coordinator called Nina the next day to see if everything was okay and to ask about the last session she had with Sandra. Nina answered the phone and immediately apologized to the coordinator for not showing up. She explained that she wasn't feeling well. The coordinator reminded Nina to please call in if she wasn't going to attend her session but also asked Nina if she was enjoying her sessions with Sandra. Nina responded that she liked her tutor just fine, and that even though it was hard to get back into doing math and spelling, everything was still going well. The coordinator then told Nina that she received a complaint from another tutor about the way Sandra had spoken to her. Nina then got very emotional and told the coordinator that Sandra called her stupid for not getting the correct answers and threatened that, if she continued to make such little progress, she would be cut from the literacy program. Nina also told the coordinator that Sandra would call her at home 2-3 times per week to remind her to do her homework. Nina said that she didn't come to the program for the last week because she just couldn't take the stress anymore and was beginning to feel like a failure.

The coordinator told Nina that she was being harassed and that Sandra did not have the right to harass her or anyone else. The coordinator informed Nina that the 'Adult Literacy' program had a policy to protect people from such harassment. Nina did not want to use the policy or make any kind of formal complaint against Sandra. She was afraid of Sandra and also afraid that other tutors and staff would not want to work with her in the future if she complained.



Case 4: Harassment Complaint, Continued

The coordinator respected Nina's choice not to make a complaint but asked Nina if she could disclose this information to address concerns about Sandra. Nina agreed. The coordinator advised Nina not to meet with Sandra anymore and also told Nina that she could be re-matched if she wanted. Nina was assured that she was doing the right thing by talking to the coordinator.

The coordinator contacted the program advocate to inform her about the issue. Together they decided on the next steps to follow. The coordinator set up a time to meet with Sandra. At the meeting the coordinator explained how her behaviour and comments were inappropriate and that phoning Nina at home and making threats and insults was considered harassment. Sandra responded in disagreement and stated that if she didn't make sure Nina was bettering herself then this program would be a waste of everyone's time.

Sandra was told that, since the 'Adult Literacy' program policies considered this harassment, she would no longer be working with Nina. Sandra was given the opportunity to be re-matched with another learner on the condition that she attend workshops on anti-oppression and boundaries. Sandra did not agree that she should attend any workshops and, as a result, Sandra was asked to leave the 'Adult Literacy' program.

The coordinator later met with the tutor and learner who had heard the remark and explained that such behaviour was not tolerated at the 'Adult Literacy' program. They were both thanked for speaking up about what they had witnessed and were reassured that the policies at the 'Adult Literacy' program were in place to protect everyone from harassment and discrimination. They were reminded of the importance of confidentiality and that if either or both of them wished to discuss their feelings about the incident they could talk to the coordinator, program director, or program advocate.

The next day the coordinator informed Nina that Sandra was asked to leave the program. She also reminded Nina about the importance of confidentiality. The coordinator reassured Nina that behaviour like Sandra's was not tolerated because it made the environment at the 'Adult Literacy' program unsafe. The coordinator gave Nina a referral for a local counselling centre and encouraged Nina to come back to the program for the math group and, when she felt ready, try an arrangement with a different tutor.



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Web Resources

Violence and Learning

Learning and Violence

www.learningandviolence.net

Online resource developed by Jenny Horsman and colleagues that discusses the impact of violence on learning, and offers tools for addressing and diminishing the impact.

Jenny Horsman – Community educator and researcher

www.jennyhorsman.com

Contains many great resources on strategies and ways to reduce the impact of violence on learning.

Peace Power

www.bfsr.org/PEACEPOWER.html

Contains information about the Peace Power strategy, including how to get training materials.

Beat the Street (Frontier College)

www.beat-the-street.org

Learn how Beat the Street has integrated the Peace Power Strategy into its programming.

Conflict Resolution / Finding a Conflict Resolution Professional

Conflict Resolution Network Canada

www.crnetwork.ca

Includes current information on conflict resolution in Canada and tool to search for a conflict resolution practitioner and/or trainer in your area.

St. Stephen's Community House

www.ststephenshouse.com

St. Stephen's offers services to the Greater Toronto Area in conflict resolution, community mediation, professional training, and workplace mediation intervention and training.

Alberta Learning Information Service

The book *Let's Talk: A Guide to Resolving Workplace Conflicts* can be ordered from www.alis.gov.ab.ca/careershop/ or downloaded from www.alis.gov.ab.ca/pdf/cshop/letstalk.pdf. This book outlines the steps to *issue-based problem-solving* – the in-house conflict resolution process that is outlined in the sample complaint policy. This approach can be taught to learners, staff, volunteers, and Board members.



General information about conflict

Peacemakers Trust

www.peacemakers.ca

Peacemakers Trust is an organization dedicated to research and education on conflict and peace building.

Conflict Resolution Information Source

www.crinfo.org

A free online clearinghouse for information on peace and conflict resolution for students, teachers, practitioners, and researchers.

Ohio Commission on Dispute Resolution and Conflict Management

<http://disputeresolution.ohio.gov/schools/skillsconcepts.htm>

Contains a straightforward discussion on the concepts of conflict resolution and some ideas for learning activities.

UBC Faculty of Graduate Studies Conflict Resolution Guide

<http://grad.ubc.ca/gradpd/guides/conflict.html>

Discusses conflict as it relates to individuals in organizations and the workplace.

Human Rights

Ontario Human Rights Commission

www.ohrc.on.ca

Contains the Ontario Human Rights Code and information about rights and responsibilities for different human rights issues such as age discrimination and religious rights. This site also contains helpful fact sheets on human rights in Ontario.

Canadian Human Rights Commission

www.chrc-ccdp.ca

Contains the Canadian Human Rights Act and the Employment Equity Act as well as information on preventing discrimination, and on complaints and alternative dispute resolution.



‘Adult Literacy’ program Complaint Policy

This sample complaint policy of the fictitious ‘Adult Literacy’ program was written with the intention that other literacy programs could adopt and modify it in a way that makes sense for them and meets their needs.

It uses the generic name ‘Adult Literacy’ program so that other literacy programs can easily substitute the name of their organization.

Most sections of this complaint policy should be accessible to level 3 literacy learners, but some sections are higher and, as a result, learners may need assistance.

This sample policy was adapted from Parkdale Project Read’s Anti-discrimination Policy.

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Glossary

These words will appear in this policy. Here is what they mean:

Accessible: When something is easy for everyone to get or use

Advocate: A person who helps someone else or speaks for someone else

Anti-Discrimination: Working to end unfair treatment

Appeal: Asking someone to look at your complaint again and change the decision

Balancing: Keeping two sides equal

Commitment: A promise to do something that is important

Complaint: When someone speaks up about something that has happened so they can take steps to deal with the problem

Complaint Process: All of the steps you can go through to solve a problem

Conflict: When people do not agree and it causes stress, tension, or problems

Disciplinary action: A form of punishment for not following the rules

Discrimination: Treating someone unfairly because of their race, sex, colour, where their family was born, where they were born, marital status, same-sex partner status, sexual orientation, age, disability, citizenship, family status, or religion

Diversity: When there are many different people, cultures, languages, races, and religions in one place

Excluding: Leaving people out

Feedback: Your thoughts about something like a process, a workshop, or a policy

Harassment: When someone makes comments or behaves in a way that puts someone else down, hurts them, or makes them uncomfortable

Human rights: The things that all people should be allowed to have and the ways that all people should be treated

Investigator: Somebody who looks deeper into a problem by going over records and talking to people about what happened

Majority: More than half of the people in a group

Mediation: A way for people to talk about a problem or an argument with the help of a person who does not take sides

Mediator: Someone that helps two or more people to solve a problem without taking sides

Members: People who belong to a group. Members of a literacy program can be staff, tutors, volunteers, learners, and Board members

Program Advocate: The person at the literacy program who helps people find peaceful ways to solve problems

Policy: A set of rules and steps for dealing with problems

Power imbalance: When some people have more control over things than other people

Reprimand: When your boss or program director doesn't like something you have done and writes it in your permanent record

Resolve: When you deal with something in a positive way or make a decision about something

Rights: The things that you should be allowed to have and the ways you should be treated

Systemic discrimination: Patterns of behaviour, policies, or practices that are hard to change, treat people unfairly, and are part of the way things are done in organizations

Part 1: Introduction

The 'Adult Literacy' program does not allow any words or actions that make the program unsafe for any learners, staff, or volunteers. This Complaint Policy is in place to protect the rights of all members of the 'Adult Literacy' program to work and learn in a safe place. This policy gives you a way to make your voice heard if discrimination and harassment happens in the program. This policy also gives you a way to resolve any conflicts before they get worse.

Our Beliefs About Discrimination

The 'Adult Literacy' program believes that members have the right to be free from discrimination based on:

Race, colour, culture, place of birth, beliefs, gender, sexual orientation, marital status, employment status, age, and disability.

The 'Adult Literacy' program has a commitment to keeping a safe and peaceful learning space that is free of harassment and discrimination and making sure that our program is a safe and inspiring place to learn, work, and volunteer. Our commitment is based on the Ontario Human Rights Code.

As members of the 'Adult Literacy' program we are all responsible for making sure that discrimination does not happen in our program. All the members of our program agree to support a safe learning space.

Our members are: staff, learners, volunteers, and Board members.

The 'Adult Literacy' program will work to include all members in all areas of the program. We will do everything to make sure all people feel welcomed and respected for who they are.

The 'Adult Literacy' program will give on-going training to staff, Board members, volunteers, and learners on human rights issues and anti-discrimination.

Our Beliefs About Conflict

The 'Adult Literacy' program knows that conflict is something that can happen in a place where many different people come together to learn and work. A lot can be learned from conflict. The 'Adult Literacy' program believes that when we deal with a conflict openly everyone can learn from it.

When conflict happens we will do our best to help people come together to discuss the problems and find solutions that are best for everyone. We will encourage members to use mediation as a first step towards resolving conflicts and discrimination, and harassment complaints.

The 'Adult Literacy' program will give on-going training on communication and conflict resolution to staff, Board members, volunteers, and learners. We will help learners to practice communication skills that can stop conflicts from getting worse.

Part 2: Background on Discrimination

What Is Discrimination?

Discrimination happens when people are treated differently or unfairly.

Discrimination happens when people do not get the same opportunities that other people do because of:

- their race or colour
- their gender
- a disability
- where they or their family were born
- their country of citizenship
- their sexual orientation (gay, lesbian, bi-sexual, trans-sexual, heterosexual)
- their age
- their marital status (married, single, divorced, separated, living with someone)
- their class or employment status
- their religion
- being on Social Assistance
- a criminal record

Who Experiences Discrimination?

Discrimination can happen to anyone for different reasons.

At the 'Adult Literacy' program discrimination can happen:

- between staff members
- between learners and staff
- between volunteers and staff
- between volunteers and learners
- between learners and other learners
- between volunteers and other volunteers

Why Does Discrimination Happen?

Discrimination can happen when someone believes they are better than someone else, or does not respect someone else because they are different.

Sometimes people fear what they don't understand. They fear people who are different from them. This fear can cause people to discriminate against others.

It is difficult to stop other people's behaviour.

Discrimination usually happens because of a power imbalance. This means the person doing the discriminating thinks he or she has power over the other person.

Sometimes this power is real. For example, a landlord can decide who will get an apartment and an employer has the power to decide who will get a job.

Sometimes people think they have power over someone else because they belong to the majority and the other person is different in some way.

When there is a power imbalance it is hard for the person being discriminated against to face the other person.

The person being discriminated against might need to get support from other people or make a complaint.

What Is Harassment?

Harassment is what happens when someone threatens, insults, or bothers someone else.

Harassment happens because someone doesn't respect the race, sex, colour, place of birth, religious beliefs, disability, sexual orientation, employment status, or family status of the person being harassed.

Harassment includes name-calling, insults, jokes, graffiti, threats, unwanted touching, avoiding people, excluding people, violence, and any actions that make people feel uncomfortable.

It is against the law in Ontario to discriminate against or harass anyone.

What Is Systemic Discrimination?

Many forms of discrimination are built into our society, our legal system, our education system, and our government. We call this systemic discrimination because the system may have rules or practices that discriminate against people.

For example, having an office in a building that is not wheelchair accessible is a form of systemic discrimination. If people in wheelchairs cannot enter a building that everyone else can enter, it discriminates against them.

Systemic discrimination is sometimes hard to see because it is built into the way we do things in our society. It can also be built into the way we do things in our adult literacy programs.

Part 3: Background on Conflict

What Is Conflict?

Conflict is a natural part of our society. Most conflicts happen because of disagreements, differences, misunderstandings, or unfair treatment. Many people think conflict should be ignored but if we ignore a conflict it can get worse and even get violent. If we see that there is a conflict early and take steps to resolve it, we can have peace and understanding. In many cases talking, listening, and trying to understand each other can make things better.

Who Experiences Conflict?

Anyone can be involved in a conflict.

At the 'Adult Literacy' program a conflict can happen:

- between staff members
- between learners and staff
- between volunteers and staff
- between volunteers and learners
- between learners and other learners
- between volunteers and other volunteers

A conflict can be between two people or a whole group of people.

How Can We Resolve Conflict?

The way we resolve conflicts is called mediation. It may be difficult to take the first steps to resolve a conflict and you may need support and advice. The person who helps you with the mediation is called a mediator. Depending on the type of conflict, there can be one or more mediators there to help.

Part 4: What Are Your Rights and Responsibilities?

When you make a complaint, you have rights and responsibilities.

Your Rights

- You have the right to keep things private.
- You have the right to be protected from threats, punishment, or dismissal from the program.
- You have the right to bring a friend or someone who supports you to all meetings about your complaint.
- You have the right to have things read and explained to you.
- You have the right to language or sign language translation of everything said or written about your complaint or anything said or written down during any of the steps in the complaint process.
- You can stop the process at any time. If discrimination was part of your complaint, the 'Adult Literacy' program has the right to keep the process going without you. This is because the 'Adult Literacy' program is responsible under the Ontario Human Rights Code for keeping the workplace free from discrimination and harassment.

Your rights are important. You also have some responsibilities that are important.

Your Responsibilities

- You have a responsibility to keep things private.
- You should discuss the problems only with people at the mediation. You should discuss the problems only in the time and space set aside for mediation.
- You have a responsibility not to threaten, punish, spread rumors about, or take revenge on a person who you are in conflict with or who has discriminated against you.
- You have a responsibility not to keep the conflict going outside the program while you are taking steps to resolve the problems.

Part 5: Who Will Deal With Complaints?

Program Advocate

The Board chooses someone to be the program advocate for at least a one-year term. The program advocate has training in resolving conflicts and in human rights. The program advocate will:

- Make sure this policy is followed.
- Help the person with the complaint to decide what kind of complaint they have and what steps to take.
- Speak with the program director about what steps are being taken.
- Try to solve the problems through mediation whenever possible.
- Report to the Board when a conflict needs the help of a professional mediator.
- Make sure everyone understands what privacy means.
- Report major complaints to the Board while keeping the privacy.
- Give a form to all people involved in a complaint to provide feedback on this policy and how it is working.
- Report to the Complaint Committee whenever a complaint is made.

Complaint Committee

The Complaint Committee has at least:

- 1 staff member
- 1 Board member
- 1 program advocate

Members should:

- Have a commitment to peace and anti-discrimination
- Be willing to get training in anti-discrimination work and resolving conflicts
- Have a commitment to making the Complaint Policy work
- Be able to make a time commitment (4 hours every month for a program advocate or 4 hours every year for all others)
- Be active in the 'Adult Literacy' program
- Represent the diversity of all members
- Be willing to work co-operatively with other people

The committee will meet when a complaint is made, when it is time to choose a program advocate, and when it is time to make suggestions to the Board about the Complaint Policy. There may be different people on the committee each time it meets. This is called an ad hoc committee.

The committee will make sure its members get training in human rights, anti-discrimination, and resolving conflicts.

Staff Members

The staff members at the 'Adult Literacy' program have a duty to never ignore discrimination or conflict. The staff members must encourage people who experience conflict or discrimination to get help to solve problems peacefully.

Program Director

The program director has an important role in dealing with complaints. The program director must know about the complaints that the Complaint Committee and program advocate are handling. Depending on the kind of conflict, the program director can have any of these roles:

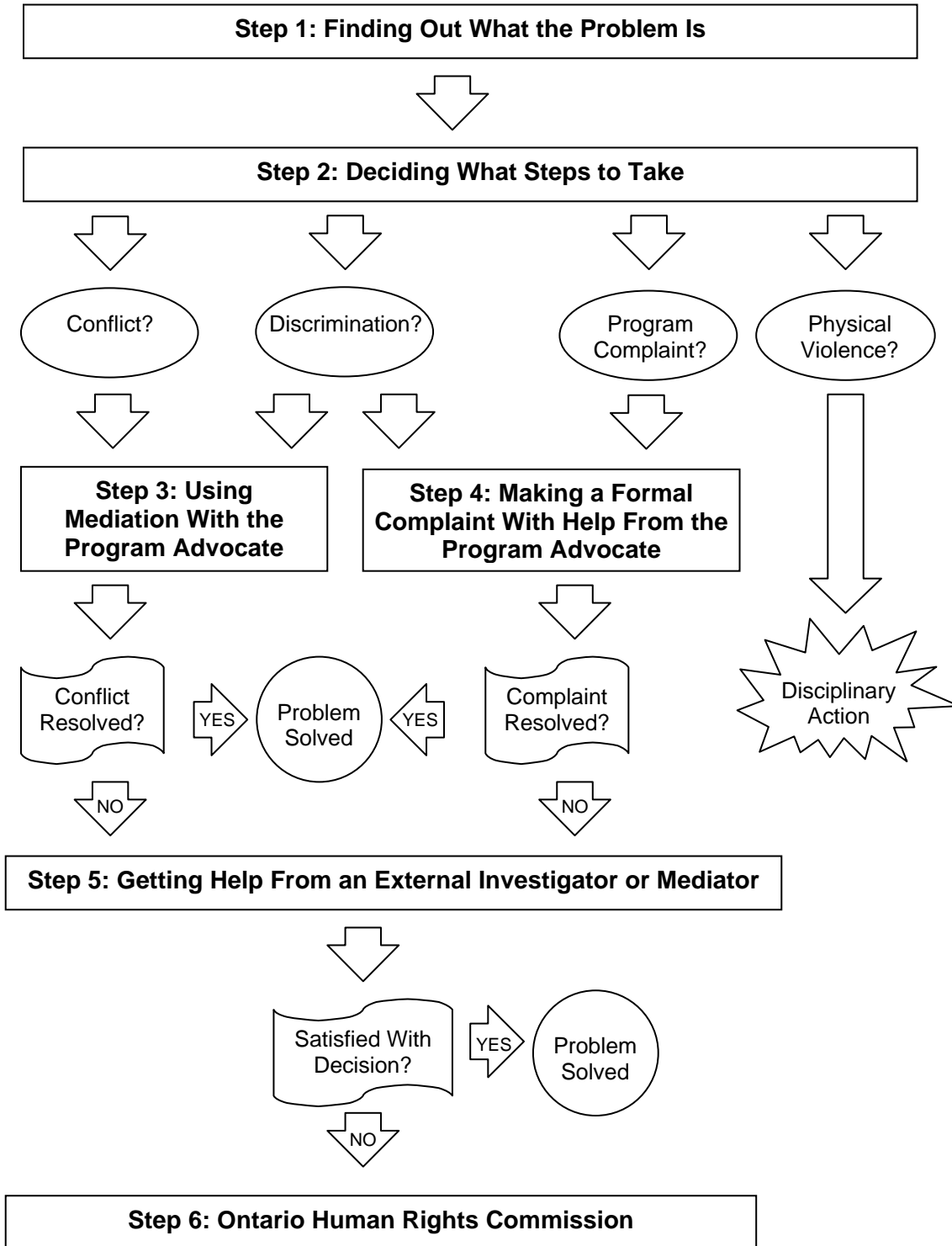
- Make sure all members of the 'Adult Literacy' program know about and know how to use the Complaint Policy.
- Advise anyone with a complaint to see the program advocate. Follow up with the person and the program advocate to know what steps they are taking.
- Advise any people in a conflict to go to the program advocate to try to resolve the conflict through mediation.
- Help the program advocate and the person with the complaint to decide what steps to take (step 2 of the complaint process).
- Act as a second mediator when needed.
- Choose people to give peer support during the mediation or choose other mediators when needed.
- If the complaint is about a program-wide problem, the program director will be the one to respond in most cases. The program director will bring this kind of complaint to the Board. The Diversity Education Group can also help bring the complaint to the Board.
- When physical violence is part of the complaint or conflict, the program director takes disciplinary action and then decides if it is appropriate to deal with the conflict through the complaint process.

External Investigator or Mediator

The external investigator or mediator is used near the end of the complaint process. This person will be someone from outside the program who is an expert in human rights, an expert in human resources, or a professional mediator. This person is responsible for doing the investigation or mediation. They will make suggestions to the Complaint Committee.

Part 6: The Complaint Process

This flowchart will help you see the steps in making a complaint:



Steps to the Complaint Process

If you are in a conflict or have experienced discrimination or harassment at the 'Adult Literacy' program you can take these steps:

Step 1: Finding Out What the Problem Is

Step 2: Deciding What Steps to Take (go to step 3 or 4)

Step 3: Using Mediation With the Program Advocate

Step 4: Making a Formal Complaint With Help From the Program Advocate

Step 5: Getting Help From an External Investigator or Mediator

Step 6: Making a Complaint to the Ontario Human Rights Commission

Step 1: Finding Out What the Problem Is

It is important that you make a complaint before the problem gets worse. You can talk to the program advocate or the program director. The program advocate is available one hour per week. If the program advocate is not available when you decide to get their advice you can speak with the program director. The program director will listen to your problem and try to get the program advocate in as soon as possible. You can bring a person with you when you talk to the program advocate or the program director.

Questions to Ask Yourself :

- What happened? Who was there? What did they do?
- Did the person know what he or she was doing?
- Why is it important to you?
- What is your role in the conflict? What is the role of the other person in the conflict?
- How do you feel about what happened?
- How has it affected you?
- What would you like to see happen now?
- How do you think we can solve the problem fairly?

Step 2: Deciding What Steps to Take

To decide on the next steps to take, the program advocate will ask you some questions about what happened. The program advocate can help you decide what kind of complaint you have and what steps to take.

The advocate will help you to decide if the complaint has to do with:

- a conflict
- discrimination or harassment
- a power imbalance
- a program-wide problem
- violence

The program advocate will decide if mediation would be helpful or not. If the problem involves physical violence or the threat of physical violence, the program director will take disciplinary action. The 'Adult Literacy' program will take all the steps needed to make sure everyone in the program is safe.

What Is a Power Imbalance?

A power imbalance is a part of almost every conflict. In our society, some groups have more power than others. The groups with more power often have better jobs, better housing, and more education.

It is the program advocate's job to make sure that a person from the group with more power doesn't get special treatment during mediation and that the person from the group with less power doesn't get special treatment either. The program advocate has to keep the balance of equal power.

The program advocate also knows that power can change depending on the situation. For example, as a group people with disabilities in our society often have less power. However, a disabled person who might also be a Board member has more power. It is important to make sure that other people don't hold power over him because of his disability, but also to make sure that he doesn't hold power over anyone else because he is a Board member.

A power imbalance is part of every conflict, especially when there is discrimination or harassment. People who belong to a group with more power might not be aware that they are discriminating or harassing others. Power imbalances may be very hard to see and may depend on the situation and the people who are involved. The program advocate must find ways to balance power differences in the mediation or complaint process.

Examples of balancing power might be:

- Letting the person with less power bring a support person to the mediation
- Having a translator or interpreter when the different groups speak different languages
- Inviting the person with less power to speak first
- Having a second mediator who belongs to the same group as the person with less power

The key to finding a peaceful resolution will be talking about these power differences in an open and honest way while keeping the balance of power equal for everyone.

Will Mediation be Useful?

The points listed below can help you decide if mediation is the right step to take.

When Is Mediation Useful?

If one or more of these is true, mediation will be helpful:

- The people have strong feelings about the problem
- The people know each other
- The relationship between both people is important
- One person feels uncomfortable facing the conflict unless someone else is present
- The people cannot ignore the conflict (for example, they work or live together)
- The conflict must be resolved soon
- Both people think that they cannot solve the problem on their own.
- Many people are affected by the conflict
- Both people want to avoid legal action

When Is Mediation Not Useful?

Mediation could make the conflict worse if any of the following is true:

- The problem was serious and people are still too upset to talk
- One or both people have been threatened with violence
- One or both people will use mediation to make the problem worse (for example, threatening)
- One or both people will not listen, or is too upset to make an agreement
- One or both people cannot understand or follow the mediation process
- The problem cannot be resolved or disciplinary action is needed
- One or both people might be better off using the courts or another method
- A power imbalance makes it difficult to find a fair solution
- Mediation would only hide a problem that should be made public (for example, ongoing racial harassment, criminal offense, or something that might be dangerous)
- People are not willing to participate

(Adapted from *The Mediator's Handbook* by Jennifer Beer and Eileen Stief)

The advocate will use the decision flow chart on page 8 to help you decide what steps to take.

- If your complaint has to do with a conflict, then the program advocate will suggest going to **Step 3 – Using Mediation**. If it has to do with discrimination or harassment then the program advocate will suggest going to **Step 3 – Using Mediation** or **Step 4 – Making a Formal Complaint**.
- If it has to do with a problem that is program-wide then the program advocate will suggest going to **Step 4 – Making a Formal Complaint**.
- If it has to do with physical violence then the program advocate will tell the program director who will take disciplinary action.

If mediation will not be helpful then the program advocate will suggest a different step.

Step 3: Using Mediation With the Program Advocate

In most cases of conflict, discrimination, or harassment, the program advocate will suggest mediation. In mediation, the people talk about the problems and find a solution that is best for everyone. They do this with the help of the program advocate who acts as the mediator. Depending on the kind of conflict or complaint, other people can be part of the mediation process. There can be two mediators. The mediators are usually the program advocate and the program director. The people in conflict are each allowed to bring a support person into the mediation.

The program advocate will help everyone talk about the problem and find a solution. Here are the steps to mediation:

Mediation Steps

1. **Active listening:** Each person tells his or her side of the story without interruption while the other person listens. The mediator makes sure each person understands what the other is saying.
2. **Understanding interests:** The mediator makes a list of interests for each person and checks back to make sure the list includes everyone's needs.
3. **Suggesting solutions:** Both people suggest possible solutions and all solutions are accepted.
4. **Choosing a solution:** Both people talk about all possible solutions until they agree on a solution. An agreement is written and signed by both people.
5. **Putting the solution in place:** Both people are given enough time to put the solutions in place.
6. **Check in:** A time will be set to check and make sure the agreement is working.

If Conflict Is Not Resolved With the program advocate

The mediation process might not work. This can happen when there are many different problems to be solved and each of the problems is complicated. If this happens the program advocate will meet with the Complaint Committee and program director to decide the next step. They may decide to get the help of a professional mediator. A professional mediator knows how to deal with many complicated problems.

Mediation With a Professional Mediator

The program advocate will set a time for everyone in the conflict to meet with a professional mediator from outside the program. The mediation will happen at the 'Adult Literacy' program. Most mediators will use the same steps as this policy.

Follow-Up

The program advocate will meet with everyone involved with the complaint after some time has passed to talk about how things are going and make sure everyone is following the agreements.

Step 4: Making a Formal Complaint With Help From the Program Advocate

If someone was harassed or discriminated against and the program advocate decides that mediation will not work, the program advocate will suggest that the person write a formal complaint. The program advocate will also offer mediation. The steps in making a formal complaint are:

- Talking privately with the program advocate and a support person if needed. (The support person should not be someone who might be needed as a witness.)
- Making a complaint in writing and a list of possible solutions. The support person or the program advocate can help put the complaint in writing but the person making the complaint must agree with the way it is written. This must be done before the program advocate speaks to the other person.
- The program advocate will give a copy of the complaint to the other person and make sure that he or she understands the complaint and the list of possible solutions. The other person can suggest changes or other possible solutions.
- The program advocate will help both people come to an agreement. Both people must sign any agreement made.
- The program advocate will make sure both people follow the agreement.

Complaints About Program-Wide Problems

If anyone has a complaint about the way things are done at the ‘Adult Literacy’ program or about the policies and practices then there are a few ways to make a complaint.

1. The person can follow the steps above for making a formal complaint in writing. The complaint can be written to the program director. The program director can then respond on behalf of the program. Then the program director will make an agreement with the person who made the complaint.
2. If the complaint is that the **policies and practices of the program discriminate against people** then the program advocate may suggest that the Diversity Education Group help out. This group will help the person present the complaint to the program. In cases where the problem is program-wide, the complaint will go to the program director and the Board. The role of the Diversity Education Group is to make sure everyone feels included in the program so the group will support any complaint about problems with the way things are done at the ‘Adult Literacy’ program. The program director and the board will come together to respond to the complaint and make an agreement with the person who made the complaint.

3. Sometimes when a complaint is made about the way things are done in the program then the response will be to change the policies and practices of the program. Sometimes the structure and organization of the program will need to change. These kinds of changes take a long time to put in place. In these cases, the program will make a commitment to making the changes within an amount of time. The Diversity Education Group will work closely with the program director and the Board to make sure the changes take place and work well for everyone.

If the program advocate decides a formal complaint and agreement will not work, both you and the person you are complaining about will get notice in writing within one week. You then have **two weeks** to ask for the next step. The next step is an investigation by a human rights expert, a human resources expert, or a mediator. You will have to ask for the next step in writing. You can get help with this from the program advocate.

Step 5: Getting Help From an External Investigator or Mediator

Whenever possible the investigation will start **within two weeks** from the date it is requested in writing.

The investigation will usually take up to **one month** but may take longer if more time is needed.

The investigator will interview everyone involved.

The investigator will find out:

- What happened?
- Who was there? How were they involved?
- How does the situation affect all the people involved?
- Did the person know what they were doing?
- Did one person know they were hurting the other person?
- Have there been other complaints against this person before?
- Is discrimination or harassment part of what happened? How was it expressed?
- Was there a power imbalance?

The investigator will look at the information and decide to do one of these steps:

- The investigator can decide to do a mediation.
- The investigator can decide that **disciplinary action** is needed. This may be a warning, a request for a written apology, a request to seek out supports (like anger management counselling) or the person may be asked to leave the program for an amount of time.

The decision for action will be given to the Complaint Committee.

The Complaint Committee will set up a face-to-face meeting with each person separately to give their decision. The Complaint Committee will also make sure the action is followed.

Appeal

Every person has the right to appeal any decision once if new evidence is available.

To appeal the decision the person must make a request in writing **within three weeks** from the date of hearing the decision. The investigator will hear the new evidence and make another decision.

The appeal is the final step in this internal policy.

If any person thinks that the investigator's decision was unfair, that person can take the complaint to the Ontario Human Rights Commission. See step 6.

Disciplinary Action

All members of the 'Adult Literacy' program are expected to follow the Code of Conduct. The Code of Conduct makes sure all members are safe, respected, and treated equally.

If someone has used physical violence or there is a threat of physical violence then disciplinary action will be taken by the program director immediately. The person will be told to leave the program.

If a learner, volunteer, Board member, or any other person using our services or space is found to have harassed or discriminated against anyone, they may receive a warning, a reprimand, or be told to leave the program.

If a participant, volunteer, Board member, or any other person using our services or space is found to have made a false complaint on purpose, they may receive a warning, a reprimand, or be told to leave the program.

If a staff member is found to have harassed someone else or to have made a false complaint on purpose, they may receive a warning or reprimand or they might lose their job or be suspended. A staff member who is going to lose his or her job will be dealt with according to the rules of the Personnel Policy.

The Complaint Committee will follow up on all agreements and will report to the Board of Directors if anyone fails to obey the decision.

Step 6: Making a Complaint to the Ontario Human Rights Commission

If any person is not satisfied with the results of a complaint under this Complaint Policy then that person has the right to make another complaint with the Ontario Human Rights Commission or to take legal action. A different support person might be needed for this step.

Any person has the right to make a complaint to the Ontario Human Rights Commission during or instead of steps 1-5 of this complaint process.

Everyone is encouraged to go to the program advocate even if they want to take step 6. The program advocate can explain what is involved and can help people decide if they should go to step 6 or try the internal complaint process first.

Part 7: Privacy

Everyone involved has a serious **responsibility** to keep the complaint private. When people talk about the complaint outside the complaint process it can hurt people and their reputations and stop others from coming forward with their problems.

Only the people who are directly involved and the support people should know about a complaint or conflict that is being resolved or investigated.

If someone needs to talk about anything to do with the complaint, that person can speak with the program advocate, the program director, or a support person. These people all understand the importance of keeping things private.

The program advocate must make sure everyone understands the need for privacy.

The program advocate will also investigate if he or she is told that privacy has been broken.

If either person involved with a complaint breaks the privacy, the complaint advocate will remember this when it is time to make a decision.

If the program advocate, members of the Complaint Committee, the support people, the mediator, or the investigator breaks the privacy, then disciplinary action might be taken. They may receive a warning or reprimand or they might lose their job or be suspended.

Part 8: Records and Documentation

It is very important to keep good records in order to put the Complaint Policy into practice in a fair and supportive way.

All files and records of a complaint will be kept private and in a locked drawer away from other files.

The program advocate will keep files by a number system instead of using people's names.

The program advocate will also keep detailed records on all discussions and meetings and any written notes and letters.

The Complaint Committee will also keep clear records, which will keep track of all follow-up meetings and agreements.

Documents that may need signatures include:

- Letters of complaint
- Letters that make a request or ask for permission
- Decisions
- Agreements
- Information release forms

The program advocate will have a system for keeping records. Records will be kept for a minimum of three years after the case has been resolved.

The program advocate will also make an annual report of the number and type of complaints made and the actions taken under this policy. This report will be given to the Board.

Part 9: Policy Evaluation

The Complaint Committee will make a form to get feedback from everyone who has used this policy.

The program advocate will also ask for feedback from everyone at the ‘Adult Literacy’ program on this policy and on the conflict resolution and anti-discrimination training they got.

The Complaint Committee will use the feedback that they get to make an annual report.

The report will include any suggestions for changes to be taken to the Board.

The Complaint Committee will work to keep the policy up-to-date. They will also make sure the policy works with the current goals of the ‘Adult Literacy’ program.

Appendix B – Learner, Tutor and Volunteer Agreements

The following Learner, Tutor and Volunteer agreements were adapted from those of Literacy for East Toronto.

Learner Agreement

What We Expect From You

- I will make a **6-month** commitment to work on my goals.
- I will meet my tutor at least once a week for 2 hours.
- I understand that the ‘Adult Literacy’ program discourages learners and tutors from meeting in private homes and suggests that learners and tutors meet only at the ‘Adult Literacy’ program or at the public library.
- I understand that my tutor is a volunteer.
- I will arrive on time for my meetings with my tutor.
- If I’m sick or cannot meet, I will call the ‘Adult Literacy’ program or my tutor and give as much notice as I can.
- If I miss a meeting without letting the office or my tutor know, I realize I may lose my tutor.
- If my tutor misses meetings, I can ask for a new tutor.
- I will use the computers at the ‘Adult Literacy’ program to work on my learning goals for reading, writing, math, and technology.
- I will respect the dignity and value of every person.
- I understand that every member of the ‘Adult Literacy’ program has the right to privacy. I agree to not talk about, gossip, or give information about what I’ve seen or heard about people who come to our program.
- I am aware that there is a complaint policy at the ‘Adult Literacy’ program that has a way to resolve conflicts and make complaints about discrimination and harassment.
- I am aware that all members of the ‘Adult Literacy’ program are expected to follow the Code of Conduct.

Learner Signature

Date

Learner Agreement

What You Can Expect From Us

- An interview with a staff person to talk about:
 - ✓ Your goals
 - ✓ Your educational background
 - ✓ Your best learning styles
 - ✓ What skills you have from work or life experiences
 - ✓ And the kinds of help you would like from us

- An assessment which will tell us where you are in reading, writing, and math
- A training plan that will outline the skills you will need to reach your goals
- A match with a trained volunteer tutor who will work with you at least 2 hours each week
- On-going assessment and support while you are at the ‘Adult Literacy’ program
- A safe and respectful learning environment

If you have a complaint about the program or another member of the ‘Adult Literacy’ program you have the right to use the complaint policy and get the advice of the program advocate. You can find out more about the policy or advocate from any staff member.

Tutor Agreement

What We Expect From You

- I will make a **6-month** commitment to work with a learner.
- I will participate in tutor training.
- I will meet my learner at least once a week for 2 hours.
- I understand that the ‘Adult Literacy’ program discourages learners and tutors from meeting in private homes and suggests that learners and tutors meet on-site at the ‘Adult Literacy’ program or at the public library.
- I will come prepared for every meeting. I will arrive on time for my meetings.
- I will keep make notes on what we cover each week.
- If I’m sick or cannot meet, I will call the office or my learner and give as much notice as possible.
- If my learner misses meetings, I can ask for a new learner.
- I will use the computers at the ‘Adult Literacy’ program to help my learner work towards his or her goals for reading, writing, math, and technology.
- I will respect the dignity and value of every person.
- I understand that every member of the ‘Adult Literacy’ program has the right to privacy. I agree to not talk about, gossip, or give information about what I’ve seen or heard about people who come to our program.
- I am aware that there is a complaint policy at the ‘Adult Literacy’ program that has a process for resolving conflicts and for making complaints about discrimination and harassment.
- I am aware that all members of the ‘Adult Literacy’ program are expected to follow the Code of Conduct.

Tutor Signature

Date

Tutor Program Agreement

What You Can Expect From Us

- An interview with a staff person to talk about:
 - ✓ Our organization and a description of our one-to-one tutoring program
 - ✓ Goal-based learning
 - ✓ Your areas of interest (reading/writing/numeracy)
 - ✓ Your schedule

- Orientation, initial and on-going training

- Support, guidance, and direction from a designated staff member

- Information on new initiatives and opportunities to offer suggestions

- Additional opportunities to participate at the ‘Adult Literacy’ program (committees, Board of Directors, fundraising, etc.)

- A safe and respectful learning environment that is conducive to tutoring

If you have a complaint about the program or another member of the ‘Adult Literacy’ program you have the right to use the complaint policy and get the advice of the program advocate.

Volunteer Agreement

What We Expect From You

- I will make a **6-month** commitment to volunteer at the ‘Adult Literacy’ program.
- I will participate in volunteer orientation.
- I will arrive on time for my shifts.
- If I’m sick or cannot make my shift, I will call the ‘Adult Literacy’ program and give as notice as possible.
- I will use the computers at the ‘Adult Literacy’ program in a way that encourages the development of literacy skills (completing tasks for staff, finding literacy sites, news sites, puzzles, math, and word games.)
- I will respect the dignity and value of every person.
- I understand that every member of the ‘Adult Literacy’ program has the right to privacy. I agree to not talk about, gossip, or give information about what I’ve seen or heard about people who come to our program.
- I am aware that there is a complaint policy at the ‘Adult Literacy’ program that has a process for resolving conflicts and for making complaints about discrimination and harassment.
- I am aware that all members of the ‘Adult Literacy’ program are expected to follow the Code of Conduct.

Volunteer Signature

Date

Volunteer Program Agreement

What You Can Expect From Us

- An interview with a staff person to talk about:
 - ✓ Our organization
 - ✓ Your areas of interest
 - ✓ Your schedule

- Orientation, initial and on-going training
- Support, guidance, and direction from a designated staff member
- Information on new initiatives and opportunities to offer suggestions
- Additional opportunities to participate at the ‘Adult Literacy’ program (committees, Board of Directors, fundraising, etc.)
- A safe and respectful learning and working environment

If you have a complaint about the program or another member of the ‘Adult Literacy’ program you have the right to use the complaint policy and get the advice of the program advocate.

Appendix C – Code of Conduct

Code of Conduct for all Members of the ‘Adult Literacy’ program

This code of conduct is in place to ensure the right of every member of the ‘Adult Literacy’ program, to learn and work in a safe and respectful place.

Safety and Respect

All members of the ‘Adult Literacy’ program agree to:

- Respect differences in people, ideas, and opinions
- Treat one another with dignity and respect at all times, and especially when there is disagreement
- Take the steps to resolve conflicts peacefully
- Respect and treat others fairly, regardless of their race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, gender, sexual orientation, age, or disability
- Respect the rights of others to learn and work in a safe place
- Show proper care and respect for the property of the ‘Adult Literacy’ program and the property of other people
- Never use the computers to view pornographic, offensive, or hateful websites or e-mails.

Behaviours such as the following will not be allowed at the ‘Adult Literacy’ program:

- Sexual, ethnic, cultural, or racial abuse, slurs, jokes, or harassment
- Actions or language that are disrespectful, profane, offensive, or a threat to another’s safety or well-being
- Physical or verbal assault, threats of assault, or use of intimidation
- The possession or use of weapons or items intended to be used as weapons

Disciplinary Action

- If a member of the ‘Adult Literacy’ program acts against this code of conduct, they will receive a warning, a reprimand, or be told to leave the program either for an amount of time or for good.
- If a member of the ‘Adult Literacy’ program acts in a violent way, either physically or verbally, they will be told to leave the program.
- If anybody at the ‘Adult Literacy’ program breaks the law, the police will be called.