

## **Grievance and Reconciliation Policy**

### **The North Carolina Zen Center**

Buddhist ethics provide a foundation for the practice and community life of Sosen-ji. As a community, we are guided by the five basic precepts: avoiding killing, not taking what is not given, avoiding sexual misconduct, refraining from false or harmful speech, and refraining from abusing intoxicants. These precepts are the basis of our code of ethics. An important part of ethics is a commitment to finding wise ways to work with conflict. In times of serious conflict, we have relied on the example and experience of the Buddhist tradition of monastic council for developing our own ways of resolving conflict.

Conflicts will inevitably arise in our community. The health of the community is not measured by the presence or absence of conflict as much as by our willingness to find effective, responsible, and compassionate means of resolving interpersonal tensions as they arise. The intention to attend to and learn from conflict is a clear application of Buddhist practice to our daily lives; without this intention, practice can too easily be a comfort rather than a deep transformative vehicle for our lives.

Buddhist conflict resolution is not based on good or bad, blame or guilt, winning or losing, offenders or victims. Rather it is based on fully addressing the suffering of all concerned. Hurt, fear, and anger are taken seriously through forums in which everyone may speak honestly, safely, confidentially, and completely about their own direct experiences and feelings. In looking for resolution, Buddhist practice values dialogue over silence, reconciliation over estrangement, forgiveness over resentment, confession over accusation, and atonement over punishment.

### **Support Council**

The process of reaching such resolution is often very difficult. In cases concerning a breach of ethics, a "Support Council" will be assembled including at least three senior Sangha members not associated with the grievance in question. Ordinarily the Support Council will consist of the Abbott and two senior members of the Practice Committee unless circumstances preclude this. In no case will a party directly concerned with the grievance in question participate on the Support Council.

- Any or all of the Support Council are available to any community member who wants help in dealing with conflicts or grievances within our community.
- The primary role of the Support Council is to provide confidential consultation to anyone with ethical concerns. As such, the Support Council may, on request, function as a simple sounding board for one's concerns, as a source of questions to facilitate deeper personal reflection, or as a source of advice on how best to resolve a conflict. In addition, Support Council members are available as mediators or witnesses to discussions between parties in conflict. Support Council members acting as mediators and or witnesses will carry out their work in confidentiality.

- In the case of serious conflict requiring more sustained mediation, the Support Council is available to oversee the implementation of a formal grievance procedure through dialogue, mediation, and reconciliation. This involves setting up a Grievance Council that investigates and decides on specific issues submitted by members of the Support Council. Except for the Support Council and appropriate community leaders, proceedings associated with sustained mediation will be held confidentially for their duration.

Because many situations requiring a formal grievance procedure contain elements of interpersonal differences, a formal grievance process may not be effective in resolving those issues. In these cases, if resolution is desired, other procedures—such as mediation—are recommended.

## **Grievance Process**

An important function of the Support Council is to encourage an intention of mutual respect and reconciliation whenever misconduct associated with a breach of the Five Precepts arises within our community. In the rare occasion that such a breach is serious enough to merit investigation, the following process is available.

### **1. Bringing a Concern**

A formal grievance process is initiated by communicating in writing with one or more members of the Support Council. This “letter of request” must include:

- A clear statement that a formal grievance process is requested.  
The name of the person(s) whose behavior the complaint concerns.
- A description of the alleged behavior sufficient to allow the Support Council to decide whether the complaint is appropriate for initiating a formal grievance procedure.
- A history of attempts, if any, to resolve the complaint through other means.
- A general statement about the resolution desired.

### **2. Accepting the Concern**

Once the Support Council has accepted a request, it must convey its acceptance within two weeks to both the party filing the complaint and the party named in the complaint. As part of the notification, the Council will state its understanding of the issue under inquiry and will distribute a copy of the original “letter of request” to the party named in the complaint. The Council will otherwise keep the matter as confidential as possible to the extent feasible in the context of the grievance.

### **3. Forming a Grievance Council**

Once a complaint is accepted, the Support Council selects three of its members to constitute a Grievance Council. This Council may also include the Abbott. In the case that either the Abbott or a member of the Support Council is a party to the complaint or has a personal relationship to one of the parties that might affect their objectivity, s/he

will be recused from any Support Council deliberations regarding the matter. In keeping with the tradition of monastic council, this Grievance Council will investigate, issue findings, and render a decision on the complaint. The Support Council will also appoint one of its members to be the moderator of the Grievance Council who guides the procedures but does not participate in any decisions.

#### **4. Investigating the Concern**

The moderator schedules closed hearings in which all parties are given a chance to present their understanding of the issue under investigation. The Grievance Council may question all parties and may request additional information. The moderator will document the proceedings.

The Grievance Council may ask other people to provide information pertinent to the complaint. All parties will have a full and fair opportunity to respond to all information—oral, written, or otherwise—gathered by the Grievance Council.

Except for the Support Council and appropriate Sangha leaders, the proceedings will be held confidentially for their duration.

#### **5. Grievance Council Findings**

When the Grievance Council members are satisfied that they are adequately informed, they will review and discuss the case among themselves. At its discretion, the Grievance Council may seek non-binding advice from any other source. The Grievance Council's decision should be reached by consensus. Within two weeks of a decision, all parties will reconvene at which time the Grievance Council will distribute copies of its written findings and read them aloud. For matters involving the potential suspension of a teacher, the Grievance Council will consult the full Board of Directors.

#### **6. Disposition**

The findings and recommendations of the Grievance Council carry the full weight of the Board's authority, as outlined in the bylaws of the Center and will constitute a final resolution and the full discharge of the Center's responsibility toward the aggrieved party.

This is an Official Policy Document under Bylaws Art. III, Sec. 2., c.  
Approved by the NC Zen Center Board of Directors September 18, 2016