



# Conflict in housing co-operatives

This series discusses conflict in housing co-ops as it affects co-op communities and ultimately co-op governance

## Issue #3: Conflict mediation services

### What is mediation?

**Mediation is a process to resolve conflict by involving a neutral third party who is skilled and experienced in conflict resolution.** This third party is called the mediator. This person assists those in conflict to resolve their own conflict. The parties, in this case, the co-op members, enter into the process voluntarily. The mediator does not direct the outcome (the agreement) of the mediation process. The co-op members who are in conflict, have control over the agreements that they reach.



### Will the mediator judge me?

It is important to note that the mediator does not judge the conflict or the people involved in the conflict.

### If the co-op arranges the mediation, doesn't it mean the mediator works for the co-op?

No, the mediator does not work for the co-op. The skilled mediators come from organizations within the community that specialize in conflict resolution.

### How does the process work?

Members in conflict need to request mediation. See the attached sample Mediation Request Form.

The mediator gets the basic information needed in order to start the process. The members involved in the conflict first meet separately with the mediator. The mediator learns what the conflict situation is about. They identify the needs and assess whether mediation is appropriate for this conflict. If mediation is appropriate the mediator will explain the mediation process and prepare the members for mediation.





## The mediation process

- 1 First, one or two trained mediators meet separately with the people involved and listen to their story. **They reassure those involved that conflict is normal and important.**
- 2 The mediators **encourage the parties involved to express how they feel.** This happens twice: when the mediators meet the parties separately; and when they bring them together.
- 3 The mediators work together with the parties to resolve their conflict. They insist that **the parties respect each other and listen to each other.**
- 4 The mediators never force a solution. They help the parties to come to a solution that they can live with. **The parties must always find a mutually satisfactory solution.**

Adapted from *A Manual for Group Facilitators*, by the Center for Conflict Resolution, Madison, Wisconsin.

## How do the sessions work?

- 1 The two members come together with the mediator/ mediators:
  - a. The parties must show that they are willing to participate;
  - b. Each member must feel the mediator understands their concerns, and
  - c. Each member feels that the other person understands what is important to them.
- 2 A clear agreement that fully resolves the conflict for each party is developed. Each member feels a sense of accomplishment and closure.
- 3 There is follow-up to check in to see how the agreement is working.

### It is important to note that:

- The conflict, or issue, belongs to the members involved;
- The process of resolving the conflict belongs to the mediators;
- Mediators are not judges and do not judge;
- Mediators are neutral; they do not favour any sides of the issue;
- Mediators empower the members to be their own problem solvers;
- Mediation can help solve the problem and bring members back together.

## Mediators – do's and don'ts



### Mediators do:

- manage the mediation process
- maintain a neutral position
- keep discussion open and on track
- maintain ethics, confidentiality, and are skilled



### Mediators don't:

- force an agreement on the members
- take sides
- rush the process
- give legal advice
- work for the co-op or the co-op's board

## What happens when mediation does not work?

The two parties may not reach an agreement during the first set of mediation sessions. The mediator may try different options including:

- checking in with the parties after 2 or 3 weeks to see if they wish to try again;
- offering coaching on communication, effective messages, responding to hostile situations, and
- circling back to the board to consider other options such performance agreements, member education, town hall meetings to deal with overall co-op tensions that might be developing.

**Mediation is a process, not a “one and done” solution.**



(Copy onto Co-op's Letterhead)

## Sample request for mediation

We have had a dispute with each other for some time. We have tried to find a solution to our problem. We have not been able to find a solution that satisfies us.

We think that we need help from someone who has skill and experience in resolving conflict. We understand that it may be possible to arrange neutral mediation. We are asking the manager to arrange mediation if this is possible.

We agree that, if the manager arranges mediation, we must act as follows:

- We will co-operate as well as we can with the mediator.
- We will respect each other even when we disagree.
- There will be no insults, name calling or shouting during the mediation.
- The mediator will help us to work out our own solution, but will not solve our problem.
- We will respect any mutual agreement that we reach.
- If we decide to pursue other efforts to resolve some of the conflict (e.g., taking legal action) we will let the mediator and the other party know.

### Member 1

Name: \_\_\_\_\_

Unit: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Signature: \_\_\_\_\_

### Member 2

Name: \_\_\_\_\_

Unit: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Signature: \_\_\_\_\_



# Further information on conflict resolution

There are three approaches to dealing with conflict. They are:

## 1 Power

This approach uses power to pressure people to resolve the conflict. Pressure includes tactics like use of authority, threats, intimidation. The co-op housing sector moved away from this approach to democratic control by the members. Co-ops put members' rights and responsibilities in by-laws, policies and procedures. A power approach that seeks to coerce people can be considered a last resort.



## 2 Rights

In this approach, someone or some group (board or members' meeting) decides who is right in a conflict. They refer to a standard such as co-op by-laws and policies, the Human Rights Code, municipal by-laws, staff/ management contracts, etc. People refer to it as the "rights or rules approach."



## 3 Interests

This approach brings together the parties to collaborate in finding solutions that are creative and meet as many of the parties' needs as possible. It gets them to listen to each other and to understand the interests that lie behind the positions they have taken. People refer to it as the "interests approach."

Each of these 3 approaches to conflict resolution have their own value. The challenge is that most people involved in conflict resort to power-based and rights-based resolution automatically. These choices could be due to exposures through television or other experiences. Housing co-ops should choose the "interests approach" as the first step in dealing with conflicts. This approach tries to get people to understand the interests of the different parties and to find a solution that meets these interests.



# How people approach conflict

There are five different approaches to resolving conflict. These approaches include:

## 1 Avoiding “Let’s talk about it later”

Someone who uses a strategy of **avoiding** mostly tries to ignore or sidestep the conflict, hoping it will resolve itself or dissipate.

## 2 Accommodating “Whatever you want is fine with me”

Using the strategy of **accommodating** to resolve conflict essentially involves taking steps to satisfy the other party’s concerns or demands at the expense of your own needs or desires.

## 3 Compromising “Let’s make a deal”

The strategy of **compromising** involves finding an acceptable resolution that will partly, but not entirely, satisfy the concerns of all parties involved.

## 4 Competing “We’re doing it this way”

Someone who uses the conflict resolution strategy of **competing** tries to satisfy their own desires at the expense of the other parties involved.

## 5 Collaborating “Let’s see if there’s some way we can both get what we want”

**Collaborating** involves finding a solution that entirely satisfies the concerns of all involved parties. It’s a win-win situation.

Housing co-op communities are stronger when there is collaboration and co-operation. It is clear that co-op housing communities would benefit from a **collaborating** approach to conflict resolution.



Five approaches to resolving conflict (continued)

Strategies	Resolutions		
	Win-Win	Lose-Lose	Win-Lose
Avoiding		Both parties ignore the issue	
Accommodating			One party meets needs of the other at the expense of their own needs
Compromising		Both parties give up something	
Competing			Only one party wins
Collaborating	<b>Meet the needs of all involved</b>		

Based on Thomas Kilmann conflict model



## What does Community Mediation mean?

- **Community Mediation** grew out of a grassroots desire to **build better communities** through free-for-user services delivered by trained mediators.
- The goal has been to help neighbours **resolve** immediate conflict, **equip** them with **better ways** to handle other conflicts (immediate and future) and **contribute** to more peaceful communities.
- **Mediation services are typically free to co-ops**; check with your local community mediation service.

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