



**Muslim
Community
Radio**

Internal Conflict Resolution Guide

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Policy under Code 1.5 of the CBAA Code of Practice

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Summary: This document outlines the practices put in place to ensure the appropriate conflict resolution that may arise in the 2mfm organisation between staff or volunteers.

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Purpose

This document sets out the *Muslims Community Radio's* policy for best practice on the responsible management of Internal Conflict Resolution. The purpose of this policy is to provide best practice guidelines undertaken by *2mfm* to resolve conflict that may arise between volunteers and staff or members, including the executive body of the *Association*, and conflict that may arise within those groups. The guidelines align with the *Muslim Community Radio Inc* 'Objectives' and 'Rules', Code 1.5 of the Australian Communication and Media Authority (ACMA) Codes of Practice, the guidelines issued by the Community Broadcasting Association of Australia (CBAA), the *Broadcasting Services Act 1992*, and relevant employment legislation.

Background

The *Muslim Community Radio's* Steering Committee acknowledges the natural possibility of internal disputes occurring amongst individuals of any association or workplace. Sector bodies suggest that the possibility of disputes occurring is perhaps more likely in workplaces that foster diversity, more so than in workplaces of a homogenous environment. Hence, the need for practical, fair and positive disciplinary guidelines is considered crucial to resolving internal conflicts without compromise to productivity, innovation, organizational culture, morale and well-being.

Guiding Principles

1. In the process of resolving internal disputes, these 13 principles guide best practice in the process of conflict resolution at *2mfm*:
 - 1.1 To ensure the delegated conflict resolution officer has adequate communication skills and cultural capital to produce positive outcomes
 - 1.2 To make all reasonable efforts to resolve the internal conflict within 90 days
 - 1.3 To provide all parties involved with reasonable notice of meetings
 - 1.4 To provide access to an independent mediation process where resolution is not easily achieved by middle management and top management levels
 - 1.5 To maintain a fair, transparent and impartial investigation process
 - 1.6 To provide access to an appeals process
 - 1.7 To respect due rights for privacy and to fair and equal treatment

- 1.8 To enhance productivity and foster a sense of belonging
- 1.9 To improve relationships, team work and confidence among individuals
- 1.10 To increase morale and preserve integrity
- 1.11 To negotiate for dispute resolution by managing discussion between disputants, which is aimed to bring about agreement or a settlement of opposing demands or attitudes
- 1.12 To exhaust all reasonable efforts to resolve internal disputes between parties, in order to avoid the possibility of legal action.
- 1.13 To recommend appropriate action/s needed to avoid future breaches

Resolution Guidelines

2. Individuals or groups in their working or participatory capacity with **2mfm** are guided to seek resolution for their disputes in the following manner:
 - 2.1 In the first instance, disputing parties are encouraged to discuss the issue/dispute with the Complaints Officer
 - 2.2 If a dispute is not settled, disputing parties may approach the Manager
 - 2.3 If dispute is still not settled, the disputing parties and/or the Station Manager may raise the dispute with the Complaints Manager (on the Board)
 - 2.4 The Complaints Manager may choose to attempt resolving the dispute or may refer complainants to Darulfatwa- the Islamic High Council of Australia, as an independent external body for mediation and arbitration.
 - 2.5 If and when the dispute is referred to Darulfatwa, the disputing parties will be encouraged to seek counseling from Darulfatwa to establish common grounds.
 - 2.6 The Complaints Officer or the Station Manager may choose to schedule a follow-up meeting (e.g. 2 weeks after settling dispute) with each of the disputing parties separately, to monitor progress of resolution and productivity, or

- 2.7 The Complaints Officer or the Station Manager may choose to monitor progress and productivity in subtle and discrete ways, in order to minimize disruption in the workplace.

Investigation Guidelines

3. The Complaints Officer or Station Manager may see the need to further investigate disputes with all parties concerned adopting the following as best practice:
- 3.1 Establish if there has been any breach of station policy, media and broadcasting laws, organization rules or other governing objectives and principles of *2mfm*
- 3.2 If a breach has occurred by a volunteer, to refer to the station guidelines under Code 2.3(d) of this Handbook.
- 3.3 If the breach has occurred by an Executive member, the Station Manger is encouraged to lodge a complaint with the Board as soon as practicable.
- 3.3.1 The Board will pursue the 'Resolution of Internal Disputes' process outlined in the *Muslim Community Radio Inc* Constitution
- 3.4 If the breach has occurred by a staff member, the Station Manager will discuss the breach with the staff member to ensure an understanding of expected conduct and inform the employee of the consequences of a repeat of the breach.

Staff Dismissal Guidelines

4. If a breach in broadcasting or gross or aggressive misconduct has occurred by a staff member and is taken to be in malice or deliberate, the Station Manager is encouraged to issue 3 warnings before retrenchment, guided by the dismissal legislation and the following procedure, for best practice:
- 4.1 First warning is verbal and issued in a meeting between the employee and the Station Manager, giving the employee a chance to respond.
- 4.2 Second warning is verbal and issued in a second meeting with employee that may include members of the Board
- 4.3 At any stage the employee may be referred to an independent body for counseling (namely, Darulfatwa)

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- 4.4 At any stage, the Station Manger may apply discrete disciplinary measures for a time, such as asking employee to relinquish privileges
 - 4.5 At any stage the Station Manager may request the employee take a training session with a delegated staff or a senior member of the **Association**.
 - 4.6 Third warning of dismissal is in writing and signed by the Station Manager. It shall be enforced according to the dismissal legislation.

Appeals

5. For best practice, the Complaints Officer or Station Manager will advise the party or parties affected by a dismissal of their rights to appeal.
 - 5.1 Members may cause an appeal under the Constitution
 - 5.2 Staff may cause an appeal under the employment Act
 - 5.3 Volunteers may cause an appeal pursuant of **2mfm's** guiding policy under Code 2.3(d) of the Codes.