



## **ZONTA DISTRICT 23 – CONFLICT RESOLUTION PROCEDURES**

### **Document control**

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### **INTRODUCTION**

Overarching governance of Zonta International is through its International Bylaws and Rules of Procedure which determine how Zonta International will be administered. In the same way the District 23 Constitution governs the administration of the District. The District 23 constitution (the constitution) includes the role and responsibilities of members of the Board, Areas and Clubs, and sanctions that can be applied for non-compliance.

Significantly Part 3 Division 2 of the District 23 Constitution states –

*The District may take disciplinary action against a member in accordance with this Division if it is determined that the member:*

- (a) has failed to comply with the Rules and the Bylaws of Zonta International;*
- or*
- (b) refuses to support the purposes of the District; or*
- (c) has engaged in conduct prejudicial to the District and Zonta International.*

This document provides guidelines for club officers and members to ensure that conflicts are managed in a manner that invokes procedural fairness to all parties, and, in the event that a formal disciplinary process is necessary, it too is subject to procedural fairness.

### **CODE OF CONDUCT**

District 23 has approved a code of conduct to guide member behaviour as a means of avoiding conflicts. Non-compliance with the code of conduct is only one aspect where conflict may arise.

### **CONFLICT RESOLUTION IN CLUBS**

The development of these procedure acknowledges the overarching requirements of Division 3 of the constitution, entitled “Grievance Procedures”.

### ***Encouraging Constructive Dialogue***

Members are encouraged to discuss issues and exchange ideas in a positive and collaborative manner. Differing opinions can contribute to healthy debate if expressed respectfully and courteously, ultimately fostering consensus.

### ***Identification and Early Resolution***

A proactive approach is essential to maintain harmony within clubs. Early identification involves:

- Understanding the nature and context of the conflict
- Identifying individuals involved
- Recognizing underlying issues

Promptly addressing the root causes helps prevent escalation into formal disciplinary measures. Key elements include open communication, mutual respect, and a focus on achieving consensus.

### ***Resolving Issues Informally***

When conflicts arise, resolving issues informally and quickly is prioritized by:

- Bringing the parties together for discussion
- Focusing on addressing root causes and restoring harmony

This process should begin at the club level under the guidance of the President or Board. Parties should strive to resolve disputes between themselves within 14 days to prevent formal grievance or disciplinary actions.

During the 14-day period, an independent member of the club may be requested by the President to assist both parties in coming to an agreed solution. Such a person should have regard to the principles of natural justice as described in the role of the mediator, below.

### ***Managing a formal disciplinary process***

The District 23 constitution provides for more formal disciplinary action if the conflict cannot be resolved at club level.

If a solution cannot be achieved at club level within the 14-day timeframe, the parties must within the following 10 days –

- (a) notify the District 23 Board of the dispute; and
- (b) agree to or request the appointment of a mediator; and
- (c) attempt in good faith to settle the dispute by mediation.

The Governor may appoint a Board member to oversight the mediation process and report back to the Board, if the mediator is not a Board member.

### ***Role of the mediator***

The mediator must be:

- (a) chosen by agreement between the parties; or
- (b) if no agreement:
  - (i) for disputes between members—a person appointed by the club Board or Zonta International District 23 Inc;
  - (ii) for disputes involving the Board or District—a person appointed by the Governor or the Dispute Settlement Centre of Victoria.

A Board-appointed mediator may be a current or former District member, provided they are impartial and have no interest in the dispute.

### ***Mediation***

The mediator will commence by contacting the parties involved in the dispute to assess whether a hearing should be scheduled. This may occur at a private location if convenient or electronically in other situations. The role of the mediator is to strive to facilitate an acceptable resolution for both parties.

The responsibilities of the mediator include:

- Providing each party with the opportunity to present their case;
- Sharing any documents submitted by either party with the opposing party for review;
- Ensuring that natural justice is maintained throughout the mediation process.

The mediator must not determine the dispute.

If the dispute remains unresolved, the mediator must inform the Board accordingly. The Board will then determine an appropriate course of action.

Subsequently, the parties may seek to resolve the dispute in accordance with other external legislative bodies.

### ***Disciplinary Action***

The District may take disciplinary action against a member if it is determined that the member:

- (a) has failed to comply with these Rules and the Bylaws of Zonta International; or
- (b) refuses to support the purposes of the District; or
- (c) has engaged in conduct prejudicial to the District and Zonta International.

### **HOW TO REFER A MEMBER FOR DISCIPLINARY ACTION**

Where a member is identified as being a person who has breached any of these requirements, that person should be referred to the District Governor who will arrange for Board members to consider the matter.

If the Board is satisfied that there are sufficient grounds for disciplinary action against a member, the Board must appoint a disciplinary subcommittee (up to three

members) to hear the matter and determine what action, if any, to take against the member.

Members of the disciplinary subcommittee may be Board members, members of the District or anyone else with relevant experience; but must not be biased against, or in favour of, the member concerned.

### ***Role of the Secretary***

Before disciplinary action is taken against a member, the Secretary must give written notice to the member—

- stating that the District proposes to take disciplinary action against the member; and
- stating the grounds for the proposed disciplinary action; and
- specifying the date, place and time of the meeting (which may be held electronically) at which the disciplinary subcommittee intends to consider the disciplinary action; and
- advising the member that he or she may do one or both of the following -
  - i. attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;
  - ii. give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and
- setting out the member's appeal rights outlined below.

The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.

### **Disciplinary meeting**

At the disciplinary meeting, the disciplinary subcommittee must –

- (a) give the member an opportunity to be heard; and
- (b) consider any written statement submitted by the member.

The member who is the subject of the meeting shall be provided with the option to have a support person attend with them. That person should not be a legal representative.

### **Outcome of disciplinary meeting**

At the conclusion of the meeting the Disciplinary Committee may –

- (a) take no further action against the member; or
- (b) take the following action –
  - (i) reprimand the member; or
  - (ii) suspend the membership rights of the member for a specified period; or
  - (iii) expel the member from the District.

The disciplinary subcommittee may not fine the member.

The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee takes immediate effect after the vote is passed.

### **APPEAL RIGHTS**

A person whose membership rights have been suspended or who has been expelled from the District may give notice to the effect that he or she wishes to appeal against the suspension or expulsion.

The notice must be in writing and given –

- (a) to the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or
- (b) to the Secretary not later than 48 hours after the vote.

If a person has given notice to appeal, a disciplinary appeal meeting must be convened by the Board as soon as practicable, but in any event not later than 21 days, after the notice is received.

Notice of the disciplinary appeal meeting must be given to each member of the Board who is entitled to vote as soon as practicable and must -

- a) specify the date, time and place of an in person meeting, or date, time if held electronically; and
- b) state
  - i. the name of the person against whom the disciplinary action has been taken; and
  - ii. the grounds for taking that action; and
  - iii. that at the disciplinary appeal meeting, the members present must vote on whether the decision to suspend or expel the person should be upheld or revoked

### **The disciplinary appeal meeting**

At a disciplinary appeal meeting-

- (a) no business other than the question of the appeal may be conducted; and
- (b) the Board must state the grounds for suspending or expelling the member and the reasons for taking that action; and
- (c) the person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.

Members present at the disciplinary appeal meeting are entitled to vote at the meeting. The vote will be by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked. A Board member may not vote by proxy at the meeting.

The decision is upheld if not less than three quarters of the members voting at the meeting vote in favour of the decision.