

Congregation Beth Israel

Grievance Policy and Procedures

Effective Date: July 1, 2022

Replaces: 2003 Liaison Committee

Date Approved by Board of Directors:

Reference: CBI Bylaws Section - no reference

Policy: Congregation Beth Israel (CBI) provides members of its community with a confidential avenue to address potential breaches of, or grievances related to the CBI Code of Conduct and to resolve these issues at the appropriate level. An Ombuds Committee (the Committee), chaired by an Ombudsperson (the OP), reviews all submitted concerns and works collaboratively and confidentially with the involved individuals to achieve appropriate and timely resolution.

The CBI Board of Directors (Board) has ultimate authority for the governance of Congregation Beth Israel, including oversight of compliance with applicable law, CBI policies, and the activities of the Ombudsperson and Ombuds Committee, as well as the general implementation of this procedure.

Confidentiality and Guarantee of Safe Environment - Non-Retaliation

In order to prevent imminent and substantial harm to affected persons or the synagogue, confidentiality shall be maintained throughout any Committee process to the extent practicable and consistent with thorough assessment and resolution of the matter. No person shall disseminate any information regarding a complaint or the facts and circumstances relating to such matters, except as necessary to conduct a fair, adequate, and timely investigation.

No person who in good faith reports or assists in the investigation of a violation of the Code of Conduct (Code) shall suffer retaliation, harassment, or adverse employment consequences. Retaliation against any person who makes or is involved with investigating a good faith report of unethical conduct under the Code is itself unethical conduct in violation of this Code and will be investigated as such.

I. Selection, Role and Term of Ombuds Committee and Ombudsperson

A. Ombuds Committee

1. Selection and Term

- a) The Committee is composed of three individuals selected by the Board, one of whom serves as the Ombudsperson.
- b) Each member serves a term of three years, and terms are staggered to ensure continuity and overlap of new and existing members. Each member may serve up to 2 terms.
- c) Committee members should possess qualities of compassion, reliability, good judgment, organization, and effective communication and be able to balance a strong sense of right and wrong with an ability to see multiple sides of a situation. Ability to maintain confidentiality is critical.
- d) All members shall have or receive training in conflict resolution within 90 days of appointment to the Committee.

2. Role:

- a) Meets at least annually to welcome and orient new members and discuss any outstanding issues;
- b) Is notified by the OP of all complaints received by the OP, the President, or any other member of the Board or CBI staff; and
- c) Collaborates with the OP to develop recommended resolution processes and assists in resolving complaints that require action beyond a meeting between the OP and the complainant.
 - (1) Such assistance may include discussions with other affected individuals, internal discussion of the breadth of the problem and potential implications/need for further action, and research regarding generally accepted standards of behavior (both civil and Judaic).
- d) A member of the Committee may take the place of the OP in the event there is a conflict of interest, the issue involves conduct of the OP, or the OP is unavailable.

B. Ombudsperson

1. Selection and Term

- a) The OP is appointed by the Board and may not be serving on the Board during their tenure in this role.
- b) The term for this position is three years; an individual may serve up to two terms.
- c) Qualifications for the OP include the qualities identified above in sections I.A.1(c) and I.A.1(d) as well as strong leadership skills.

2. Role

- a) Receives and reviews all concerns reported by congregants regarding possible Code of Conduct violations;
- b) In consultation with the Committee, makes a determination regarding the appropriate process and/or people required to address the concern;
- c) Ensures that the concern is communicated promptly to the Committee and pursued in a timely manner;
- d) Delegates the role to another member of the team should there be a conflict of interest or if the OP for other reasons should not or cannot be involved'
- e) Chairs the Committee;
- f) Communicates directly with the President regarding receipt and resolution of complaints;
- g) May also communicate with the Rabbi, Executive Committee and/or Board (if needed/appropriate); and
- h) Ensures that the complainant and other involved parties receive documentation regarding resolution of the matter.

II. Procedure

Any member of the CBI community or leadership may report a perceived violation of the Code of Conduct.

A. Reporting

- 1. A person reporting a potential violation may communicate with any of the following: the OP, an Ombuds Committee member, a Board member, or the Rabbi. The communication may include a request for a personal meeting to discuss the incident or a written description of the issue or incident.
- 2. All such communications, verbal or written, shall be forwarded to the OP, who notifies the CBI Board President. The OP can be contacted directly via email at ombuds@bethisraelbellingham.org

3. All communication regarding potential Code of Conduct violations will be confidential as stated in the first paragraphs of this policy.

B. Discovery Process

1. The complainant is notified of receipt of the complaint within five days.
2. Additional communication between the OP and the person submitting the complaint may be necessary to determine what type of violation may have occurred, including the possibility of a criminal offense.

If the violation involves a potential criminal act, a report may be made to the appropriate law enforcement agency. CBI legal counsel would also be contacted.

3. If it is determined that a Code of Conduct violation may have occurred, the OP, in consultation with the Committee, Rabbi, and Board President, determines the appropriate process for working towards resolution. Process options include, but are not limited to:
 - a) One on one discussions with the complainant and/or person about whom the complaint was lodged;
 - b) Informational discussions between the complainant and the subject of the complaint and/or
 - c) Further Committee investigation, including interviews with others who may have been involved or witnessed the incident in question.
4. Within 14 days of receipt of complaint, the complainant will be contacted regarding next steps for addressing the complaint.
5. Complaints regarding employees acting in their employee capacity will be forwarded to the Human Resources Committee and addressed according to the CBI Employee Manual. Complaints regarding the Rabbi will be addressed according to the guidelines of the Central Conference of American Rabbis (CCAR).

C. Conflict Resolution/Healing Process

1. Some reported situations may warrant or benefit from meetings aimed at facilitating an improved relationship between the involved individuals.
2. The OP, a Committee member, the Rabbi, or the Board President may encourage and/or facilitate such a meeting if those individuals are interested.
3. Upon the request of any individuals involved, the OP shall provide referral information for professional help.

D. Outcome

1. Every possible attempt will be made to conclude the matter as soon as possible.

2. Possible outcomes may include but are not limited to:
 - a) Satisfactory resolution of the issue, as agreed upon by the individuals involved in the complaint;
 - b) Continued contention or disagreement between the individuals, with an agreement to move on;
 - c) Continued disagreement and request for additional intervention and/or appeal; and
 - d) Recommendation to the Board by the Committee and OP that one or more involved individuals be removed from congregational membership or have a probationary period defined and implemented. In such cases, the Rabbi is also informed and consulted regarding a final plan.
3. All steps in the process, from initial allegation to ultimate or recommended resolution, are documented in a report written by the OP.
4. The OP and Committee review the report, and once finalized, the OP provides this confidential document to the Board President and the Rabbi to approve. They may request further action, including the possibility of consulting legal counsel if this has not already been done.
5. The final report is then given to the involved individuals.
6. The final report and the outcome documentation will be kept by the Rabbi in a locked confidential file.

E. Appeals

1. If any of the involved individuals are unsatisfied with the outcome, they may request reconsideration within 20 days of receiving the results by submitting a written request for reconsideration to the OP.
2. The Board President reviews and addresses all appeals, except for the following:
 - a) Appeals regarding issues involving employees will be referred to the Human Resources Committee;
 - b) Appeals regarding legal issues will be referred to the CBI attorney.
3. Acknowledgment of receipt of requests for reconsideration will be provided within 5 days.
4. Every effort will be made to provide the requestor with a final decision within a reasonable timeframe.
 - a) The process for addressing the appeal is determined by the person/group charged with the reconsideration and will include a review of the findings of the initial complaint.

b) The person appealing may request additional investigation or other discussions with the parties to the complaint.

5. A written final decision will be provided to the requesting party within 5 days of the final determination.