SEEDS

BATS Conflict Process

BATS IMPROV

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Bats Improv Conflict Process

Created by BATS Improv and SEEDS

BATS Values

Throughout BATS, we care about, stand for, and commit to:

- Diversity, equity, and inclusion (specifically, working to become anti-racist and anti-oppressive)
- Creativity and innovation
- Collaboration and connection
- Joyful play and fun

BATS Community Standards and Agreements

The BATS Community Standards and Agreements lists standards BATS adopted to support the following efforts:

- Our ongoing work to become anti-racist and anti-oppressive
- The creation of an environment where racism, prejudice and discrimination towards black and brown* artists are not tolerated.
    - This is inclusive of all people of color artists regardless of skin tone (*look here for more explanation of terms)
- Our recognition of the intersectional impact of harm upon female, LGBTQ+ and disabled community members.

By participating in an activity at BATS, whether as staff, employee, company member, coach, board member, guest artist or student you signal your willingness to comply with these community agreements. Additionally, you signal your willingness to participate in the BATS Conflict Process and acknowledge that data about you may be stored in a database if you submit or are the subject of a complaint. Anonymous complaints cannot be acted upon.

Confidentiality: This data will be kept in a password protected database and access will be restricted to individuals who are directly involved in addressing the complaint. Personal details such as name and contact information will not be shared outside of the individual(s) directly involved in addressing the complaint. Aggregate demographic information may be used to track and report on our progress addressing conflict overall.

These standards should be applied in all interactions whether by email, in person, on stage or in class. We commit to holding ourselves and each other accountable to these

standards. We have a zero-tolerance protocol in place to remediate harmful behavior and hold the community accountable to these standards. These remediations could range from further learning, apology, participation in a restorative justice process, through to termination as set forth in the BATS Conflict Process. Learn more about restorative justice.

More examples of behavioral standards

This document provides more detailed examples of how to apply the Community Standards in our practice.

This checklist may also be used to determine readiness to engage in a restorative process to address a particular conflict. In order for a restorative process to be available and effective, both parties need to be able to operate within these standards.

BATS Policy Against Unlawful Harassment, Discrimination, and Retaliation

The complete BATS policy is available here

Historical Context

In 2020, BATS publicly apologized unreservedly for allowing existing systems and biases within BATS that have contributed to upholding white supremacy within the organization to have gone unexamined and unchanged throughout our history. We apologized to our community members who raised such concerns and whose voices were ignored. We are sorry for the harm that our behaviors and practices have caused to our BIPOC community members.

Catalyzed by the national reckoning of the ongoing and devastating impacts of systemic racism, and the light this has shone on institutional racism within the theater sector, BATS Improv has committed itself to internal examination and reinvention to succor the eradication of racism and white supremacy that is endemic within theater in America and its manifestation at BATS.

Following the demands and advice set out in the "BIPOC Equity Action Plan" we are committed to taking the steps necessary for positive change to ensure that BATS becomes a "diverse, equitable and inclusive improvised theater community that fully affirms and celebrates artists, especially BIPOC artists."* We strive to create an anti-racist, healthy creative community that embeds spontaneous and creative risk taking within a safe and inclusive environment for our community. The BATS Conflict Process set forth below is a part of the BATS Equity Action Plan to disrupt White Supremacy and to support our process in cultivating an equitable environment.

*(from the BIPOC Action Plan)

Our work has been informed by "The Living Document of BIPOC Experience in the Bay Area Theater Community," (June 9, 2020), and more specifically by the "BIPOC Equity Action Plan" (summer 2020), which serves as an actionable supplement to the above linked living document and represents the demands set forth in the above linked equity action plan.

This document addresses the first demand of the living document as set forth in the summary of demands, which is to "acknowledge structures and histories of harm to better inform forward progress." The conflict process specifically addresses the second demand which is, "to end harmful practices, programs, and contracts with individuals with a history of problematic and racist behaviors." BATS is committed to addressing all demands set forth in the living document. The Conflict Process is in support of the BATS values. BATS maintains the Conflict Process on the website as a form of transparency and accountability to BATS community members as well as the larger improv community. Other companies are welcomed and encouraged to provide feedback regarding the Conflict Process which will be reviewed and updated annually and to use this framework to develop their own conflict process.

This is a Living Document

While the BATS Improv Conflict Process offers a plan of action it will also be a "living document" that is reassessed by the improv community, and BATS annually. The annual review is meant to leverage collaborative imagination of the improv community. The needs of BATS and of the larger community may shift over time and the annual review process creates space for innovation and supports the BATS values.

This document will serve as a historical and multi-generational tool and is in and of itself an opportunity for collaboration (region-wide to world-wide).

Gratitude/Celebration of Influencers

This complaints and accountability process closes by celebrating the courage and love of BIPOC artists who have contributed to this effort, celebrates and welcomes the allyship of non-BIPOC artists and decision-makers in the work and wisely concludes this work will take all of us. This process is written to mirror the action from a place of courage and love in a way that brings all willing community members on this journey together.

Conflict Process: Introduction

Intentions of the Conflict Process

The BATS style of improv has been described as radical cooperation in action. Likewise, this conflict process requires radical cooperation in action.

The Conflict Process ensures that the BATS community feels safe and free from harassment. The BATS Peer Council/Managing Director/senior staff are expected to respond to requests to engage the Conflict Process. This document is intended to support the BATS Peer Council/HR leaders as well as staff, employees, company members, coaches, board members, guest artists, and students and audience members.

This Conflict Process is a tool to uphold our Community Standards and hold ourselves and each other accountable. It is applicable to breaks from the Community Standards as well as to other forms of conflict.

Context for Conflict

Much like improv, conflict may be spontaneous and may happen on the spot and in the moment. Conflict may also build up over time resulting in a moment that is not spontaneous for one or more people involved. Conflict also may be generative when it builds relationships and increases understanding. By creating cultural norms around conflict, we make space for courageous change. While one of our core principles on stage is to "make your partner look good" this may not be possible in a moment of conflict. However, when our response to conflict is restorative and transformative, we create collective healing that is for our greater good.

The Conflict Process cannot cover every possible incident and is written to address and embrace nuance and complexity that reflects real life incidents.

Building a Culture of a Conflict Positive Workplace: Setting Up an Environment for Conflict to be Generative

Create community agreements and norms

- BATS Community Communication Agreements
- These agreements will be reviewed and updated annually to assure the agreements continue to meet BATS needs and values

Actively build relationships within the workplace

- Build-in time for BATS staff, company, students, coaches , and community to get to know each other

- 'discourse' platform, community building events like the picnic, holiday party, student performances, wider community meetings, shows and classes
- Create space to share about cultural backgrounds, communication styles, work styles, and inviting them to share communication styles, work styles, cultural backgrounds, etc.

Onboard members intentionally (staff, employees, company members, coaches, board members, guest artists, students)

- As new staff, employees, company members, coaches, board members, guest artists, and students join the community review the community communication agreements and the conflict process
- All shall receive clear (written) guidance about the BATS expectations, norms and processes (BATS Community Communications Agreements and the Conflict Process)
- Read best practices for onboarding here

Conflict Process: Addressing Conflict Restoratively When Tensions/Incidents Arise

Consider Direct Communication: One to one

Our first choice for resolving conflict is one on one conversation. If you feel safe going directly to the person you're having an issue with and you do not feel it would cause any additional harm to you, you don't have to follow any process other than doing just that. If a one-on-one conversation doesn't feel safe for any reason, see the next section on how to get help by escalating a conflict to an outside person, either the BATS Peer Council or a mediator (either in house or a vendor). It is helpful to address issues as they arise and not let them build up, so we recommend addressing them in a timely manner so that they don't escalate .

It is recommended that individuals engage around the conflict as soon as possible in a way that meets the above needs. This reduces the likelihood of the harm recurring or the conflict escalating. This also supports any developing process that grows to include the BATS Peer Council or HR.

If someone approaches you about your behavior, acknowledge that they were harmed, focus the conversation on the impact the incident had on them, rather than immediately explaining your intentions. This may come off as defensive and unsupportive.

Steps for resolving conflict with direct communication

It's almost always a good idea to start with a direct conversation with the person you are having conflict with. Use this Steps for Resolving Conflict Directly sheet to help you

with a direct conversation. Refer to the next section on “Support from BATS Peer Council” if you would like to explore other options.

Note: Issues of harassment or harm may not be appropriate for directly approaching the other person. See how this workplace defines harassment here.

Direct Communication with Formal Support from the BATS Peer Council (BPC)

If members need additional support to feel comfortable/psychologically safe to address another person directly the member shall contact a member of BATS Peer Council for assistance.

1) Request conflict coaching to help you prepare for the conversation (either party)
    a) If skill building is needed and/or desired to feel comfortable and confident engaging in direct communication regarding conflict
    b) The BATS Peer Council shall encourage the member to engage in conflict coaching support in this area which will be provided through BATS by an outside facilitator until if and when there is a “in-house” staff member at BATS who is able to provide these services directly, or if the member is uncomfortable working with the available “in-house” staff member.
2) Request a Mediated conversation or another restorative process. This option can help:
    a) If a direct conversation doesn’t resolve the issue
    b) If support is needed to convene a restorative conversation

Confidentiality

All complaints and reports will be kept in a password protected database and access will be restricted to individuals who are directly involved in addressing the complaint. Personal name and contact information will not be shared outside of the individual(s) directly involved in addressing the complaint. This applies to all complaints regardless of how they are resolved. Aggregate demographic information may be used to track and report on our progress addressing conflict overall. Anonymous complaints can not be acted upon.

How to report to BATS Peer Council

- Any individual can report a situation directly to a member of the BATS Peer Council
    - Both the party with the complaint or a party observing a situation can approach the BPC with a concern
- BATS Peer Council process for addressing a complaint - link

Potential outcomes of Restorative Processes

Restorative Practices are a set of principles and practices inspired by indigenous values that bring people together to build and maintain community, to reconcile and rebuild relationships when conflict or harm occurs. Restorative Practices allow affected parties the opportunity to collectively define the impact and determine steps to make things as right as possible for everyone—the person(s) harmed, the person(s) who harmed others, and the broader community.

The potential outcomes can be full (or partial) resolution and new understandings, new agreements between individuals, commitments made by a person who caused harm (to repair the harm in various ways determined by the participants). On occasion, parties may not resolve the conflict and they may decide to escalate it to HR to resolve.

Conflict Process: Addressing Conflict Traditionally, Involving HR

When to escalate a conflict to an HR process: Managing Director/Board Chair

Sometimes it is necessary to escalate a conflict to an HR process

1) When a member is unable to resolve a situation on their own, using the above approaches
2) When mediation or restorative options are not possible or have not produced results
3) When a conflict situation is inappropriate to bring to mediation or a restorative process
4) When there is no restorative path forward

When mediation or restorative options are not possible or have not produced results

Sometimes communication breaks down and mediations or restorative processes either do not produce results or the parties are not willing to participate. Sometimes the parties are not willing to consider continuing to work together under any circumstances.

Not all conflicts, or forms of harm are appropriate to bring to mediation or a restorative process.

See this link for circumstances that are inappropriate for a restorative process. The lack of these skills may also be barriers to a mediation or restorative process.

Reporting a Conflict

These are the following ways a conflict can be reported to HR:

- The BATS Peer Council can escalate a situation to the Managing Director (HR) if restorative options are not possible or have not produced results
- An individual can escalate a situation to the Managing Director (HR) if restorative options are not possible or have not produced results
    a) Complete a complaint form found here https://yes.improv.org/node/128

Once an HR Leader, usually the Managing Director, or involving other leadership such as Board Chair, Artistic Director or Head of School, becomes aware of the incident/concern they will engage in conversations with the reporting party, and the responding party, with the intention of gathering information and gaining further insight into the issues. It shall be clearly articulated to those involved that there is an information-gathering function to these confidential conversations, and that information may be operationalized later if necessary.

The data collected will be analyzed with a restorative lens, meaning that the focus will be on understanding the underlying needs of the parties and thinking about ways to implement the process to repair harms that may have been caused and explore a path to restoration.

Leaders should confirm that the issue has been discussed directly between the involved parties (if appropriate) and that it is now being escalated to these internal structures.

In instances where there is no restorative path forward, workplace leaders may find it necessary to take more traditional disciplinary approaches. This can include an informal or formal investigation, grievance processes, arbitration, possibly some coaching for the manager and/or the employee, and sometimes mediation.

The questions to be considered are:
- Has a policy been violated?
- Who has violated it?
- According to our policies, what is an appropriate consequence?

BATS Improv's Employee Handbook provides additional guidance for all coaches, staff and company members about the standards they are expected to uphold in the workplace and how the Conflict Process fits into overall HR policy. Employees can access the handbook in their individual profile section on BATS HR / Payroll Portal.

Potential outcomes of Traditional HR process

Below are two examples among many potential outcomes.

Removal

While some forms of harm may be appropriate for coaching and support and eligibility for

participation in the Conflict Process, other situations may result in removal of a member:

- Cases where the individual is not able to demonstrate an ability to end their harmful words, actions, and behaviors within a reasonable timeframe
- Cases where there is a lack of compliance with the Community Standards and expectations

Removal can only be implemented by BATS leadership, which comprises the Board Chair, Vice Chair, Managing Director, Head of School, Artistic Director and Director of Corporate Improv. This group (along with an EDI committee member to help compensate for bias) will be responsible for decision making about any suspension or termination.

Leadership may also reach out to SEEDS (or another external consultant) to help consider the outcome.

Education/Training with Reintegration -

Sometimes a restorative process or HR analysis results in an agreement that the person who caused harm will be allowed to engage in education/training to support them in more appropriate behavior going forward. The details of the education/training will be determined by the same process.

See this link for more information.

When Leadership is directly involved in the conflict

Request conflict coaching or mediation from an outside vendor if Leadership is directly the conflict or if they need support.

If members of leadership are directly involved in the conflict, or leadership is unable to resolve the situation and it is negatively impacting the workplace, they may request conflict coaching or mediation support from an outside vendor such as SEEDS. Note that SEEDS conflict coaching, or mediation support may not be appropriate or available in every scenario.

Audience Members and Students

Engage Audience Members and Students

It is important to engage audience members and students for transparency and accountability. View the multiple ways to do that here.

A condition of studying at BATS will be the students' acceptance of and agreement to uphold our Community Agreements and to participate in the Conflict Process

Audience members will be made aware of both the Community Agreements and Conflict Process and will be encouraged to help hold us accountable to the standards. They will be made aware that we are committed to being a learning organization and that they are encouraged to submit general feedback and/or complaints via two separate forms which will be available to everyone on our website.