

## **Policy on Process for Mediation and Arbitration for Official Workers of The Christian and Missionary Alliance in Canada**

### **A Policy of The Christian and Missionary Alliance in Canada**

The Christian and Missionary Alliance in Canada (C&MA) bases its practice on the teaching of the Holy Bible.<sup>1</sup> The Bible commands us to make every effort to live in peace and to resolve disputes in private or within the Christian church, and not to take these disputes to a civil court (Matthew 18:15-20; 1 Corinthians 6:1-8). Holy Scripture further states that we have all received the ministry of reconciliation (2 Corinthians 5:18), and that we are to forgive one another as Christ has forgiven us (Colossians 3:13). Therefore, whenever a dispute occurs, Scripture is very clear on the method to utilize to resolve the dispute (Matthew 18:15). Further, if the dispute is not resolved, Scripture outlines that we are to go with another person (Matthew 18:16-17) to seek resolution. Therefore, in accordance with the above scriptures as well as the underlying Gospel message of love for one another (John 13:34), any official worker who has a claim or dispute arising out of ministry with the C&MA shall take all the necessary steps to settle it by a process of biblically-based mediation, or if necessary, by a legally binding arbitration process.

#### **1. Initiation of Mediation**

- 1.1. If there is a dispute either party may initiate the mediation process by contacting the secretary to the District Executive Committee (DEXCOM) of the district in which they are licensed, or, in the case of nationally granted licenses, they shall contact the secretary of the Board of Directors, and a mutually agreed upon mediator or arbitrator shall be appointed. If a mediator cannot be agreed upon, the DEXCOM or Board of Directors shall appoint one. In the event that mediation fails, the mediator will appoint an arbitrator, having invited a recommendation from each party.
- 1.2. Mediators or arbitrators shall be members in good standing of a Christian church and may be located outside the geographic boundary of the district in which the dispute exists. In order to protect the privacy of the parties involved in the dispute, both the mediator and the arbitrator will be required to sign a "confidentiality agreement," whereby they commit to holding all aspects of the matter, as well as the names of the parties involved, to be strictly confidential. Any travel costs pertaining for the mediator or arbitrator shall be borne by the denominational organization (church, district, or national) which is a party to the mediation/arbitration. Any mediated or arbitrated resolution shall be consistent with Scripture, shall uphold the governance and by-laws of The Christian and Missionary Alliance in Canada, and shall be in accordance with any applicable legislation relevant to the matter in dispute.

#### **2. Protocol**

- 2.1. Official workers will invoke the mediation process when evidence of unjust treatment can be provided by one of the parties, who, through a previous attempt at resolution have been unable to arrive at a mutually agreeable solution. This includes, but is not limited to, for example, matters pertaining to employment, such as matters surrounding or involved in a dismissal from employment, performance of duties, transfer or change of position and responsibilities, and so on; matters pertaining to Board and pastoral disagreements regarding governance and ministry, and so on; congregational member disputes involving the pastor and/or board members, and so on.
- 2.2. The mediation or arbitration will take place as expeditiously as possible in order to bring a resolution and conclusion to the dispute.

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<sup>1</sup> See statement of faith, item 4.

- 2.3. The mediator and/or arbitrator shall report to the governing body that appointed them along with an identical report to the district superintendent, in which the events occurred, and to the president of the C&MA.

### 3. Statement of Agreement

I hereby submit myself exclusively to the ecclesiastical protocols of The Christian and Missionary Alliance in Canada. I am in agreement with the statement of faith of The Christian and Missionary Alliance in Canada, having read and signed it, and am in agreement with the principles of dispute resolution set forth in the Process for Mediation and Arbitration For Official Workers as the true and proper interpretation of the Bible, and therefore **I promise** that should I believe that I have been unjustly treated to the extent that remediation is required, that in all matters I will seek remediation in Christian mediation and/or arbitration, that I will follow the process as set forth above, and that in the event of arbitration I will submit to the ruling of the arbitrating body as the final authority.

Name: \_\_\_\_\_ Signed: \_\_\_\_\_ Date: \_\_\_\_\_

### 4. Amendments

The Process for Mediation and Arbitration may be amended by a majority vote of the Board of Directors.

Adopted - Board of Directors, November 2011

Amended - Board of Directors, April 2014