



Resolving conflict that groups may have within or outside their organization needs specific attention to detail. Ultimately, the success of resolution depends on communication and transparency. There are typically three different conflicts that trail organizations find themselves facing.

The causes of conflict can be put into three main categories:

1. Limited Resources – financial, technological, human, physical, time.
2. Different Values – cultures, generations, ethics.
3. Information & Structures – too much, too little, or just plain contradictory.

(Douglass, 2005)

### *Internal Conflict*

#### **Conflict with Board Members**

Conflict within a board is sometimes unavoidable. People join boards for different reasons, have different ideas about issues brought forward to the board and how they should be dealt with. People are impassioned by what they care about which is usually a good thing, you want people on your board that care about trails. The question then becomes “what next?”.

Most boards have adopted rules of order and there are a few different models out there, the most popular are Roberts Rules and Perry's Call to Order. The board should determine and adopt which rules are the official rules of the organization that the chair will follow.

Conflict between board members is guaranteed to happen, how your organization deals with it is another matter. The chair and the board have a few options available to them. First, determine whether the conflict is issue-based or personality-based. This determination will make a difference in how the matter is handled.

#### **Issue-Based vs. Personality-Based Conflicts**

*Issue-based Conflict* is often easier to deal with than personality-based conflicts. According to Tracy Douglass, this can be put in terms of good conflict vs. bad conflict where good conflict is issue-based and bad conflict is personality-based (Douglass, 2005). Fair debate at the board meeting is one of the first steps to reaching a consensus around a particular issue. The board as a whole can determine the length of time the issue is debated by setting the agenda at the beginning of the meeting. A good chair should sense when the issue has been “beaten to death” and call the question to a vote. The majority of the vote determines whether the issue passes or is defeated. The issue can also be tabled for another meeting in which staff may be directed to collect more information or explore a different avenue. An adhoc committee may be struck to study the issue and bring forward their recommendations back to the board within a set period of time.

*Personality-Based Conflict* is harder to solve, the reality is that not everyone gets along, add personal opinion and that escalates the issue all the more. If not solved, this will become an increasing issue at the board table. Resources created by the board for board members can help break down the perceived barriers. Good policies and guidelines will not cover every circumstance however they will cover

many instances that can be anticipated (Campbell, 2000). Some organizations have snacks or coffee breaks where board members can mingle to get to know each other on a personal level. They then become “human” not just the organization they might represent. Biographies of each board member also allows people to have insight into other board members. This is a great tool if organizations can’t afford “social events” for board members to mingle.

### Conflict Policies for Boards

Organizations need to have a conflict resolution process so everyone feels that their opinions matter and valued. Organizations that have this in place allow for the “real” issues to be discussed and creative solutions found (Douglass, 2005). Education for Board Members should start with the three basic duties in representing the members of the organization and acting as their 'trustee':

1. The **duty of diligence**: this is the duty to act reasonably, prudently, in good faith and with a view to the best interests of the organization and its members;
2. The **duty of loyalty**: this is the duty to place the interests of the organization first, and to not use one's position as a director to further private interests;
3. The **duty of obedience**: this is the duty to act within the scope of the governing policies of the organization and within the scope of other laws, rules and regulations that apply to the organization.

### Conflict of Interest

Conflict of interest can assume several basic forms. First, conflict might center on personal interests or it might center on duties an individual owes to an organization. Secondly, the gains or losses involved might be material or social. The alternatives are summarized in the following table:

	Personal Interest	Organizational Interests
<b>Material gain / loss</b>	Conflict of interest arises when an organization to which an individual owes duties of diligence, loyalty and obedience is in a position to do something which could bring profit to the individual or cause him/her financial loss. e.g. the individual is a director of a trails organization whose actions are affecting land values where the individual is an owner.	An individual duly elected to two different organizations owes duties of diligence, loyalty and obedience to each. The individual is in a conflict of interest situation if circumstances allow one organization to materially profit at the expense of the other e.g. both organizations are trying to win the same contract.
<b>Social gain / loss</b>	Conflict of interest arises when an organization to which an individual owes duties of diligence, loyalty and obedience is in a position to do something which could enhance or harm the individual's social standing e.g. a trails organization is considering support of a political party when one of its directors might be running for office.	The individual is also in a conflict of interest situation if the actions of one organization that he or she serves might affect the credibility or reputation of another for which he is a director.

Some of the behaviors which might be compromised when a person is in conflict are:

- honestly representing the interest of the members in directing the affairs of the organization, (and doing so within the law).
- the ability to foresee potential risks inherent in a situation and to take reasonable steps to manage those risks.

- directors who are involved in more than one organization may find that they cannot be loyal to both.
- the ability to keep organizational business private.
- the ability to comply with the organization's governing documents.

### **What to do**

When a director finds him or herself in a conflict of interest, they should acknowledge the conflict and withdraw from the discussion. They do not have to reveal the nature of the conflict but once declared, that person must not participate in discussion of the issue or do anything else that might influence the outcome. Directors, or potential directors, should try to anticipate and avoid conflict situations. The trust relationship between a director and the organization and its members is an issue of professionalism and personal integrity. It might also have legal implications as it represents a contract (Spence, 2004 from Connor, 2004).

### ***Internal & External Conflict***

#### **Conflict between User Groups**

*Conflict between user groups can also be between board members and can be dealt with through the board resolution mechanism.*

Conflict between users groups has occupied many trail organizations resources over the past years. These user groups may not even sit on your board but because your trail may be multi-use or shared-use, your organization is looked to for the solution. Regardless, your organization can put forth policy or position statements if deemed necessary.

**Education:** this is a recognized solution for mitigating conflict between users groups. If each party can understand the needs and wants of the other party, then often a solution can be found. It might even be education within the particular users group that helps solve the conflict. Specific trail users many not even realize the rules of use or code of conduct for a certain trail. Target the specific issues, create an awareness program or a targeted campaign to that specific user group. Create a partnership to circulate information within their organization or membership. It is not in their best interest to create "enemies" in the community either.

**Trail Design:** When groups are looking at building new trail, the allowable uses need to be considered. If you are building a single use hiking trail, make it narrow enough that ATV's and snowmobiles can't travel it. If you don't want mountain bikers using it, put in a turnstile at the access point. If you don't want rollerblades on your waterfront trail, consider using crushed granite rather than pavement for surfacing. It will still allow wheelchairs and strollers access. Effective trail design will go along way in reducing user group conflict. Alternative trail corridors should also be explored as part of trail design. In some areas, certain users don't mix either by trail design or by public desire.

**Maintenance:** Trail maintenance follows trail design and construction. If the trail is maintained for its original uses, then it has a good chance of remaining being used by the group. When trails are neglected, then the opportunity for other groups to start using it and expanding its width or network corridors increases. A maintained trail will keep information signage in place, have people on the trail who are effectively the eyes and ears, and increases the use of the allowable group who will provide enforcement through peer pressure.

**Enforcement:** There are different approaches to enforcement. Enforcement can be applied through

police/by-law officer presence or patrols, trail staff working on the trail, and/or peer pressure.

**Other Factors to Consider:** Other factors that may reduce conflict between user groups may include certain hours of operation or scheduled seasons of use (April 1<sup>st</sup> to November 31<sup>st</sup> for ATV's and December 1<sup>st</sup> to March 31<sup>st</sup> for snowmobiles). (Spence, 2006).

### *External Conflict*

#### **Conflict with the Community**

Conflict between volunteer trail organizations who build trails for the common good of the community vs. the private landowner who doesn't want trespassers or increase vandalism on their property. Sound familiar? It could be almost any public meeting held with trail groups. Founded or not, concerns are legitimate to the people involved. The good news is that there is tons of literature and real life examples that trails increase property values, decrease vandalism and generally are viewed as a benchmark in communities. How to convey that information to the public takes skill and positive experience.

**Communication:** Good communication is the key for the resolution of most issues. See below for the steps for mediation of conflict.

**Track Record:** "Do as I say and not as I do" is not how you build trust within the community. Relate back to your successes. This is how you overcome and make believers of the unbelievers.

**Trails Master Plans:** The process for the creation of these plans often bring conflicts to the forefront and find solutions through the public consultation process.

**Consultation:** Public consultation is one of those key make or break events. Issues either run hot or cold in a community. They run hot if everyone is behind the project or if it is in someone's backyard or cold if everyone thinks that it isn't a big deal and someone else will show up to support it. If no one shows up at the public meeting, it doesn't mean there are no issues. Sometimes it isn't until you have the backhoe or a group of volunteers show up to build the trail that the public issues come out. This is hard to deal with as you might have gone through all the steps and dealt with all the other issues but this little aspect was overlooked or not even on the radar. It isn't you.... Just logically deal with the issue and hope your support doesn't abandon you.

Outside of trail construction, a certain issue may require public consultation for solution. Many Environmental Assessments require public consultation to ensure that everyone is consulted. Some issues maybe contentious and require "Transparency" for a solution.

**Political support:** If your municipal council is serious about trail development, they will back you up and help navigate through the issues. Make sure you have this before the investment is made (Spence, 2006).

### **Effective Conflict Management**

Douglass (2005) has proposed the following are nine steps groups can work through to achieve a solution and possibility a constructive resolution that is far greater.

1. **Identify the Conflict** – what is it that you have and what do you want? This helps keep you focused, depersonalizes the situation, and minimizes the intensity of the conflict.
2. **Determine the Requirements** of a successful resolution – What needs do you have that must be met before you agree to a solution? What will the result of a good solution look like?

3. **Determine your WATNA and BATNA** – To maximize your ability to negotiate you will need to understand your alternatives to a negotiated solution.
  - WATNA** – Worst Alternative to a Negotiated Agreement: Ask yourself what is the worst that could happen if you can't reach an agreement and use it as a motivator to negotiate.
  - BATNA**- Best Alternative to a Negotiated Agreement: Ask yourself what is the best thing that could happen if an agreement can't be reached. Use this information to increase your negotiating confidence and measure the quality of the proposed agreement.
4. **Introduce the Issue** to the other party and arrange a time for discussion – It is essential that your opening statement be non-judgemental and framed as a mutual problem. It reduces the perception of being competitors and reminds everyone that they are partners.
5. **Identify needs** – Each party outlines what he or needs. This focuses the attention away from positions or solutions and onto the needs that must be met for a successful resolution. This is where you will need to use listening and questioning skills that will lead the discussion to finding common interests.
6. **Review** – Make sure all the statements are accurate and understood by all the parties. This is opportunity to fine tune your requirements (maybe soften some of them) or redefine the conflict.
7. **Explore assumptions about what is causing the conflict and identify invalid ones.** Look at what is contributing to the conflict, determine which, if any, of these causes can be eliminated, and correct any misinformation. A common understanding of the situation will result in better solutions that meet everyone's needs.
8. **Create a Solution.** Brainstorm ideas and evaluate them. Select one that meets all the identified needs.
9. **Evaluate the solution** once it is implemented to make sure that it is working in reality and that the requirements are being met.

(Douglass, 2005)

Effective Conflict Management is possible to achieve within your organization. Groups that actively seek different ideas stimulate interest and have a curiosity do so through open communication and active participation during the decision-making process. This can both be at the board level as well as through the above consultation processes. When the scope of the issue is beyond the trail organization, extensive external mediation is required when dealing with, for example, government legislation amendment or change.

## Resources

- Campbell, Jim. **The Wide Gray Lines - Managing Volunteer Boundaries** (January 2000), Retrieved November 2<sup>nd</sup>, 2006 from: [www.charityvillage.com/cv/archive/acov/acov00/acov0005.html](http://www.charityvillage.com/cv/archive/acov/acov00/acov0005.html)
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