




FAMILY COURT OF THE STATE OF DELAWARE

CHANDLEE JOHNSON KUHN
CHIEF JUDGE

NEW CASTLE COUNTY COURTHOUSE
500 N. KING STREET, SUITE 9445
WILMINGTON, DELAWARE 19801-3736

INTERNAL POLICY MEMORANDUM NO. 10-012

TO: Family Court Judges
Family Court Commissioners
Family Court Administrative Team
Family Court Administrative Support Staff

FROM: Chandlee Johnson Kuhn
Chief Judge 

DATE: December 28, 2010

RE: **Conflict Resolution**

Family Court is committed to providing a workplace free of conflict, where employees are treated with fairness, dignity and respect. This policy applies to all merit, non-merit, Judicial Branch, and/or employees covered by the Collective Bargaining Agreement between the Court and United Food and Commercial Workers, Local 27 ("Collective Bargaining Agreement"). This policy provides employees with an outlet to raise concerns regarding any conflict in the workplace or dissatisfaction with respect to issues related to their employment in an open and fair manner with provisions made to ensure their prompt and reasonable resolution. Under no circumstances should any employee fear discrimination or reprisal in the workplace as a result of the filing of a complaint. Directors and/or Deputy Directors, in conjunction with the Human Resource Department will conduct periodic training regarding conflict resolution strategies for employees, supervisors, and managers.

POLICY STATEMENT

Any employee that has an unresolved conflict with another Family Court employee should first discuss the conflict directly with the affected employee(s), with mutual respect. If for some reason the co-workers are not able to resolve the conflict, informally through discussions, the complaint should be brought directly to the complainant's immediate supervisor. The employee bringing forth the complaint should ensure that the complaint is made in a constructive and professional manner. In an effort to ensure confidentiality, no conflict should be communicated in the presence of other employees or any other individuals.

TYPES OF CONFLICT

Conflict, for purposes of this Policy, refers to any dispute or disagreement that is not related to the application or violation of a State of Delaware Merit Rules, Judicial Branch Personnel Rule, or

provision of the Collective Bargaining Agreement. Any conflicts that related to an alleged violation or unfair administration of a State of Delaware Merit Rules, Judicial Branch Personnel Rule, or provision of the Collective Bargaining Agreement shall be processed in accordance with procedures established under the Merit System Rules, Judicial Branch Rules, and/or the Collective Bargaining Agreement as applicable.

The following is a non-inclusive list of the types of conflicts that should be handled by the conflict resolution procedures established in this policy:

- Disputes with co-workers or managerial staff with unwanted and unresolved consequences;
- Perceived unfair or inequitable treatment;
- Conflicts personal in nature;
- Harassment (see Internal Policy Memorandum 10-002 regarding Sexual Harassment reporting procedures);
- Abuse of Authority;
- Administration of Court policies.

PROCEDURES

All conflicts that do **not** involve the application or alleged violation of a Merit System Rule, Judicial Branch Personnel Rule, or provision of the Collective Bargaining Agreement, should be handled in the following manner:

- Whenever appropriate and/or possible, employees should try to resolve conflicts immediately between the person making the complaint and the person against whom the complaint is made. (This is not a mandatory step in the process; only an option.) If the complainant is not comfortable discussing the conflict with the person against whom the complaint is made, the complainant should address the nature of the conflict with his or her immediate supervisor to discuss and strategize a realistic and acceptable resolution that would benefit both parties involved.
- In the event the complainant's immediate supervisor is not available, the complainant may address their complaint with the next level supervisor (i.e., if the supervisor of unit is not available, the complainant can take his/her complaint to the unit manager, if the unit manager is not available, the complainant can take his or her complaint to the Deputy Director of Operations, etc.)
- Once the complainant's immediate supervisor receives notice of the conflict, the supervisor must address the complaint no later than seventy-two (72) hours from the time the supervisor is made aware of the conflict.
- If an employee has a conflict with an employee whom reports to a different supervisor (and they are not comfortable addressing the conflict with the employee) the employee must communicate his or her conflict to the supervisor of the person with whom they have a conflict, as well as communicate the conflict to his or her own immediate supervisor.

- When handling conflict resolution matters, supervisors must use professional discretion, and share information regarding the conflict only with those individuals directly involved, and/or those that may need to be involved in resolving the conflict (i.e., Human Resources, the Court Administrator, etc.)
- It is the responsibility of the complainant's supervisor to ensure that the complainant receives a verbal or written response relating to the resolution of the conflict.
- In the event an employee's conflict is not resolved at the initial level (as described above), the employee has a right to escalate his or her complaint to the person in his or her respective chain of command, or at the next level in the chain of command above the person against whom the complaint is filed.