



The Council for Health &
Human Service Ministries

United Church of Christ

Restorative Justice in the Workplace

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Things to Consider

A workplace conflict occurs and results in someone being let go from the company, yet conflict does not simply disappear.

A conflict that seems minor or inappropriate behavior that hurt and offended someone. (ie. microaggressions)

An injustice has taken place and ignored which leads to a loss of trust and/or potential escalation of a conflict.

More to Consider

Harm in the workplace may:

- Hinder employee engagement

- Increase employee stress

- Impact morale and retention

- Workplace bullying

- Performance issues

Leaders should consider how they may offer restorative practices post-conflict within their work environment.

What is Restorative Justice?

In many cultures restorative justice is a normal part of their practices personally and professionally.

Restorative justice in the United States originated as an alternative approach to the criminal justice system. We often see it in the juvenile justice system.

The philosophies and values are rooted in care and respect of humanity.

It may help shape inclusive workplaces that respect all individuals, focus on community-building, and repair harms through meaningful accountability.

Restorative Justice in the Workplace

A workplace restorative practice process considers

- The needs of the harmed parties
- The needs of the organization/workgroup
- The obligations to repair the harms and meet the current and future needs.

“Restorative processes center on collaborative decision-making processes that build trust and encourage employee engagement and development. The focus on the needs of those harmed (both individual and community) help build positive social connections and understanding. Meeting the obligations of these needs creates personal integrity as the harmer(s) takes responsibility for their mistakes”.

Questions to consider

We will explore the following:

Who has been harmed?

What are their needs?

Who is obligated to address this issue?

How it may show up in the workplace?

- Miscommunication
- Misunderstandings
- Threats to employment status
- Unmet needs
- Broken trust

Process Examples

The University of Texas utilizes the following process:

Tier 1: Team and Community Building (Prevention/Relation)

Tier 1 is characterized by the use of effective communication skills and practice (discussion circles) to build relationships, create shared values, guidelines, and goals. Tier 1 promotes restorative conversations following disruptions and/or preemptively addresses difficult issues within communities or work groups. The goal is to build a supportive, intentional, and equitable community with conditions conducive to learning and working. Tier 1 circles can be utilized within work groups, larger departments or portfolios, and across the broader campus community.

Process Continues

Tier 2: Restorative Accountability Processes (Intervention/Repair)

Tier 2 is characterized by the use of non-punitive response to harm and conflict in the form of healing circles, restorative mediation, or group conferencing to respond to issues of harm in a restorative manner. This process addresses the root causes of the harm, includes all impacted parties or representatives of all impacted groups, supports meaningful accountability for the harmer(s), and promotes healing for the harmed parties, the harmer(s), and the larger community.

Tier 3: Re-Entry Support Circles (Individualized/Re-Integrate)

Tier 3 is characterized by support and successful re-entry of employees, students, and/or faculty following injuries, suspension, expulsion, incarceration, and/or extended periods of absences with or without leave.

The goal is to welcome members back to the work or school community in a manner that provides structured support and promotes accountability and achievement for that individual to ensure they are a successful and contributing member of their workplace or learning community.

Restorative Conversation Questions

CHALLENGING BEHAVIOR

What happened?

What were you thinking at the time?

What have you thought about since?

Who has been affected?

In what ways have they been affected?

TO HELP THOSE AFFECTED

What did you think when you realized what happened?

What impact has this incident had on you and others?

What has been the hardest thing for you?

What do you think needs to happen to make things right?

What do you think needs to happen to make things right?

Restorative Justice Plan

We want to take about 10 minutes if you are with colleagues or here solo, to consider what are steps that your organization may take to address workplace harm.

Think about examples that may have surfaced in the past and how they were handled. How could they have been handled in a restorative manner.

Consider currently policies. Are they restorative or more punitive? If punitive, what are way that they may be more restorative.

Benefits

Restorative practices that are offered allow for healing and transformation in the workplace.

Participants are more open and able to share what matters to them and understand what is important to others. •

An organization that has the ability to offer and respond to the needs of their team and can bridge understanding between differences.

Restorative Circle

Restorative circles involve all members directly and indirectly involved in a conflict. Often in smaller organizations, it may involve the entire staff.

People are in a circle facing each other.

There are set community agreements.

Members are asked a question or there are a prompt.

One-by-one, everyone has an opportunity to share their answer or experiences.

The goal is an open space for shared understanding, empathy, and dialogue to not only address the harm but for their to be understanding so that people are heard and needs met.

Facilitated Dialogue

- The practice of talking about an issue in an open space with a facilitator guiding the conversation.
- Is helpful for situations that may require a mix of open conversation, skills training, and agreement-making.
- Helps individuals in conflict reconcile their grievances and create a plan to move forward productively in the working relationship.
- Able to manage present conflict and prevent future conflict.

Healing Circle

Opening: Community agreements and Quote

Introduction: What would you not want to change about your life?

Prompt: What are your current hopes, fears, concerns, or unmet needs within the workplace?

Checkout: Reflection on the circle experience.

Closing: Poem

References

Restorative Works Learning Network, (2012). Time to Think: Using Restorative Justice Questions

International Institute for Restorative Practices (IIRP). Restorative Practice in Workplace Conflict.

Mediators Beyond Borders, <https://mediatorsbeyondborders.org/>

Restorative Resources:

https://www.restorativeresources.org/uploads/5/6/1/4/56143033/restorative_questions_july_2015.pdf