

Procedures for Problem Resolution

Members are responsible for negotiating among themselves problems encountered in the use of SWAN. The following procedures are to be used. These procedures are intended to foster a spirit of cooperation and communication between SWAN libraries. We should apply common sense to each individual situation, and to be generous in understanding the situation.

Process

Step 1) The complaining library determines how much of a concern the error is to them and if they want to take action against the library that violated the policies (the erring library). If the complaining library thinks the error is significant enough to require action, the complaining library should call the erring library to discuss the situation. Any discussion of the matter should be held between staff at a management level. Either party can call the appropriate MLS/SWAN staff member for clarification on established policies.

Step 2) Should the actions taken in Step 1 fail to resolve the issue, the complaining library can call the appropriate MLS/SWAN staff member. MLS/SWAN staff members reserve the right to route the call to the MLS/SWAN staff member with expertise in the area in which the infringement occurred. The complaining library will provide MLS/SWAN staff with documentation of multiple errors, committed by the same library, containing specific examples of violations and the date and name of the person that they talked to in step 1. MLS/SWAN staff will contact that person to discuss the problem and attempt to resolve it. MLS/SWAN staff will notify the complaining library of the outcome of the conversation with the erring library. Both MLS/SWAN staff and the complaining library will add this information to the documentation of the error.

Step 3) Should the actions taken in Step 1 and Step 2 fail to resolve the issue, the staff in the complaining library can take all documentation on the errors and the attempts to resolve the problem to their administrator. It is then up to the administrator of the complaining library to contact the administrator of the erring library in an attempt to resolve the problem. Contact can be made either by phone or in writing. This attempt to resolve the problem is to be documented and added to the rest of the documentation on the problem. Either administrator can contact MLS/SWAN staff to have questions answered.

Step 4) Should the actions taken in Step 1, Step 2 and Step 3 fail to resolve the issue, the administrator at the complaining library can contact the Director, Automation & Technology Services. The administrator in the complaining library will provide the Director, Automation &

Technology Services documentation of continued multiple errors, committed by the same library, along with specific examples of violations and when those violations occurred, and details of the actions taken in the first three steps of this process. After consulting with the MLS/SWAN staff involved in the process in Step 2, the Director, Automation & Technology Services will contact the administrator at the erring library in an attempt to resolve the issue. The Director, Automation & Technology Services will notify the complaining library of the outcome of the conversation with the administrator at the erring library. Both the Director, Automation & Technology Services and the administrator at the complaining library will add this information to the documentation of the error. If needed, the Director of Automation and Technology will discuss the issue with the SWAN Council who will provide input and solutions.

Step 5) If a resolution to a problem cannot be reached, SWAN or any SWAN library may request mediation, by submitting a written request to the MLS Executive Director within 90 days. A Mediation Committee will be appointed by the MLS Executive Director - who will select two Administrators at random from among the FULL PARTICIPANTS, and one Administrator at random from the SWAN Administrators Council. The Mediation Committee's responsibility is to meet, to hear the complaint, to seek an equitable resolution, and to make recommendations including a time frame to resolve the issue. Its recommendations will be communicated to the parties involved in the complaint.

Step 6) If libraries do not comply with the Mediation Committee's recommendations within the time frame specified, the SWAN Administrators Council will request a vote of the SWAN FULL PARTICIPANTS to be taken within 30 days to petition the MLS Board to act on the unresolved complaint with recommended actions that may include canceling the contract(s) or agreement(s) with the library or libraries involved, or any other disciplinary action recommended by the membership, on the grounds that the contract(s) or agreement(s) for participating have been intentionally violated. A vote of at least two-thirds (2/3) of the Administrators of the SWAN FULL PARTICIPANTS must be in favor of forwarding such a petition.

Step 7) Upon receipt of any such petition, the MLS Board will notify the governing boards of the parties involved in the complaint, prior to taking any action.