

## **ATHLETICS ALBERTA**

### **Dispute Resolution Policy**

#### **Definitions**

1. The following term has this meaning in this Policy:
  - a) *“Individuals”* – All categories of membership defined in Athletics Alberta’s Bylaws, as well as all individuals employed by, or engaged in activities with, Athletics Alberta including, but not limited to, athletes, coaches, convenors, referees, officials, volunteers, managers, administrators, committee, parents or guardians, members, and Directors and Officers of Athletics Alberta

#### **Purpose**

Athletics Alberta supports the principles of Alternate Dispute Resolution (ADR) and is committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes. *Alternative Dispute Resolution (ADR)* refers to resolving disputes in ways other than going to court. Alternate Dispute Resolution also avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.

2. Athletics Alberta encourages all Individuals to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. Athletics Alberta believes that negotiated settlements are usually preferable to outcomes resolved through other dispute resolution techniques. Negotiated resolutions to disputes with and among Individuals are strongly encouraged.

#### **Application of this Policy**

3. This Policy applies to all Individuals.
4. Opportunities for Alternate Dispute Resolution may be pursued at any point in a dispute within Athletics Alberta when all parties to the dispute agree that such a course of action would be mutually beneficial.

#### **Filing a Dispute**

5. Any Individual may file a dispute with Athletics Alberta. The dispute must be in writing and signed, and must be filed within fourteen (14) days of the alleged incident or decision. Anonymous disputes may be accepted at the sole discretion of Athletics Alberta.
6. The dispute should outline all details involved in the dispute including but not limited to names, locations, scenarios, actions etc.
7. A dispute filed outside of the fourteen (14) day period must provide a written statement giving reasons for an exemption to this limitation. The decision to accept, or not accept, the dispute outside of the fourteen (14) day period will be at the sole discretion of Athletics Alberta. This decision may not be appealed.

#### **Facilitation and Mediation**

8. The dispute will first be referred to Athletics Alberta’s President (or designate) for review, with the objective of resolving the dispute via Alternate Dispute Resolution and/or mediation.
9. If all parties to a dispute agree to Alternate Dispute Resolution, a mediator or facilitator, acceptable to all parties, shall be appointed to mediate or facilitate the dispute.
10. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated, and shall specify a deadline before which the parties must reach a negotiated decision.

11. Should a negotiated decision be reached, the decision shall be reported to, and approved by, Athletics Alberta. Any actions that are to take place as a result of the decision shall be enacted on the timelines specified by the negotiated decision, pending Athletics Alberta's approval.
12. Should a negotiated decision not be reached by the deadline specified by the mediator or facilitator at the start of the process, or if the parties to the dispute do not agree to Alternate Dispute Resolution, the dispute shall be considered under the appropriate section of Athletics Alberta's *Discipline and Complaints Policy*.
13. The parties will share the costs of mediation and facilitation equally.
14. An adult must accompany any under age athlete involved in a dispute.

**Final and Binding**

15. Any negotiated decision will be binding on the parties. Negotiated decisions may not be appealed.
16. No action or legal proceeding will be commenced against Athletics Alberta or its Individuals in respect of a dispute, unless Athletics Alberta has refused or failed to provide or abide by the dispute resolution processes set out in its governing documents.