

## DISPUTE RESOLUTION

The following term has this meaning in this Policy:

a) "Member" – All categories of membership defined in By-law 3 of the BCRSGF By-laws as well as all individuals employed by, or engaged in activities with, the BCRSGF, including but not limited to, clubs, athletes, coaches, officials, volunteers, team managers, administrators, committee members, directors and officers of the BCRSGF.

1. It is ideal that members attempt to first resolve all disputes in an efficient and constructive way that reflects the concerns and best interests of each party and is supportive of the principles set out below.
2. Upon the occurrence of a dispute, the parties will use reasonable efforts to resolve the dispute at the primary/lowest level of the BCRSGF (Club, Zone then Board level).
3. The specific format for discussions within the Dispute Resolution process will be left to the discretion of the individuals involved at each escalation level in the efforts to resolve the dispute;
4. If after going through the above process the issue remains unresolved then one or both parties may elect to utilize the Alternative Dispute Resolution process described below.

### **Alternative Dispute Resolution:**

#### **Purpose:**

1. The BCRSGF 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 with and among Members. Alternate Dispute Resolution also avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, with litigation.
2. The BCRSGF encourages all Members to communicate openly, collaborate, and use problem solving and negotiation techniques to resolve their differences. The BCRSGF believes that negotiated settlements are usually preferable to outcomes resolved through other dispute resolution techniques. Negotiated resolutions to disputes with and among Members are strongly encouraged.

#### **Application:**

1. This Policy applies to all Members.
2. Opportunities for Alternate Dispute Resolution may be pursued at any point in a dispute within the BCRSGF when all parties to the dispute agree that such a course of action would be mutually beneficial.

#### **Facilitation and Mediation:**

1. If all parties to a dispute agree to Alternate Dispute Resolution, a trained mediator or facilitator, acceptable to all parties, shall be appointed to mediate or facilitate the dispute.
2. 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.
3. Should a negotiated decision be reached, the decision shall be reported to, and approved by, the BCRSGF. 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 the BCRSGF's approval.
4. Should a negotiated decision not be reached by the deadline specified by the mediator or facilitator at the start of the process, the dispute shall remit back to the Policy under which it was initially being addressed and continue being addressed at the stage of that Policy that the parties chose to pursue Alternate Dispute Resolution, or the dispute shall start being addressed under the Applicable Policy.

5. The costs of mediation and facilitation will be shared equally by the parties.

**Final and Binding:**

1. Any negotiated decision will be binding on the parties and on all BCRSGF Members. Negotiated decisions may not be appealed.
2. No action or legal proceeding will be commenced against the BCRSGF or its members in respect of a dispute, unless the BCRSGF has refused or failed to provide or abide by the dispute resolution processes set out in the BCRSGF's governing documents.