

Section	HR/Social
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## Dispute Resolution Policy

SKSC supports the principles of Alternate Dispute Resolution (ADR) and is committed to the techniques of negotiation and mediation as effective ways to resolve disputes. SKSC encourages all individuals and parties to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. SKSC believes that negotiated settlements are usually preferable to outcomes resolved through other dispute resolution techniques.

### Definitions

- Terms in this Policy are defined as follows:
  - Participants** – Refers to all categories of individual members and/or registrants defined in the By-laws of the Organization who are subject to the policies of the Organization, as well as all people employed by, contracted by, or engaged in activities with, the Organization including, but not limited to, employees, contractors, Athletes, coaches, instructors, officials, volunteers, managers, administrators, committee members, parents or guardians, spectators, committee members, and Directors and Officers.
  - Organization** - refers to Surrey Knights Swim Club , SKSC, Knights or other similar abbreviations

### Application of this Policy

- This Policy applies to all Participants within SKSC organization.
- Opportunities for Alternate Dispute Resolution may be pursued at any point in a dispute within SKSC when all parties to the dispute agree that such a course of action would be mutually beneficial.
- At any time, SKSC may exercise the discretion to escalate a complaint to the Discipline and Complaints Policy.
- This Policy does not supersede any other SKSC policy.

### Facilitation and Mediation

- If all parties to a dispute agree to ADR, a mediator or facilitator, acceptable to all parties, shall be appointed to mediate or facilitate the dispute.
- The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated and may, if they consider it appropriate, specify a deadline before which the parties must reach a negotiated decision.
- Should a negotiated settlement be reached, the written settlement shall be reported to, and approved by, the SKSC Board for approval. Any actions that are to take place because of the decision shall be enacted on the timelines specified by the negotiated decision, pending approval.
- Should a negotiated settlement not be reached by the deadline specified by the mediator or facilitator at the start of the process (if set), or if the parties to the dispute do not agree to ADR, the dispute shall be considered under the appropriate section of the *Discipline and Complaints Policy* or *Appeal Policy*, as applicable.

**Final and Binding**

10. Any negotiated settlement will be binding on the parties. Negotiated settlements may not be appealed
11. The costs of mediation will be shared equally by the parties or, based upon SKSC sole discretion, paid by the Society.
12. No action or legal proceeding will be commenced against SKSC or its Individuals in respect of a dispute, unless SKSC has refused or failed to provide or abide by the dispute resolution processes set out in its governing documents