



## CANADA SNOWBOARD DISPUTE RESOLUTION POLICY

**POLICY STATEMENT:** Canada Snowboard is committed to supporting the techniques of negotiation, facilitation, and mediation to resolve conflict.

<b>Policy Category:</b>	Governance
<b>Approval Authority:</b>	Governing Board
<b>Department:</b>	Executive Director
<b>Approval Date:</b>	April 28, 2021
<b>Next Review Date:</b>	April 2022
<b>Revision Date(s) Approval:</b>	2019-05-11 – “Disputes Resolution Policy”
<b>Related Documents:</b>	Code of Conduct and Ethics Discipline and Complaints Policy Appeals Policy

### Definitions

1. Terms in this Policy are defined as follows:
  - a) **Affiliated Organization** – Includes Provincial/Territorial Snowboard Organizations and Snowboard Clubs recognized by Canada Snowboard
  - b) **Participants** – Refers to all categories of individual members and/or registrants defined in the By-laws of Canada Snowboard and in the By-laws of an Affiliated Organization who are subject to the UCCMS and the policies of Canada Snowboard and the applicable Affiliated Organization, as well as all people employed by, contracted by, or engaged in activities with, Canada Snowboard or an Affiliated Organization including, but not limited to, employees, contractors, Athletes, coaches, instructors, officials, volunteers, managers, administrators, committee members, parents or guardians, spectators, and Directors and Officers

### Purpose

2. Canada Snowboard and its Affiliated Organizations support the principles of Alternative Dispute Resolution (ADR) and are committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes. ADR also avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.



3. Canada Snowboard and its Affiliated Organizations encourage all Participants to communicate openly, and to collaborate and use problem-solving and negotiation techniques to resolve their differences. Canada Snowboard and its Affiliated Organizations believe that negotiated settlements are most often preferable to arbitrated outcomes. Negotiated resolutions to disputes with and among Participants are strongly encouraged.

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

4. This Policy applies to all Participants.
5. Opportunities for ADR may be pursued at any point in a dispute when all parties to the dispute agree that such a course of action would be mutually beneficial.

#### **Facilitation and Mediation**

6. 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. Canada Snowboard may optionally consult the SDRCC's services for dispute resolution: <http://www.crdsc-sdrcc.ca/eng/dispute-resolution-facilitation>.
7. 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.
8. Should a negotiated settlement be reached, the written settlement shall be reported to, and approved by, Canada Snowboard or the Affiliated Organization (as applicable) for approval. 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 approval.
9. 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.