



## **DISPUTE RESOLUTION POLICY**

### **Purpose**

1. Softball Canada supports the principles of Alternative Dispute Resolution (ADR) and is committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes. Alternative Dispute Resolution also avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.
2. Softball Canada encourages all Participants to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. Softball Canada believes that negotiated settlements are usually preferable to outcomes resolved through other dispute resolution techniques. Negotiated resolutions to disputes with and among Participants are strongly encouraged.

### **Application of this Policy**

3. This Policy applies to all Participants.
4. Opportunities for Alternative Dispute Resolution 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**

5. The Case Manager may request that the parties consider Alternative Dispute Resolution and/or mediation with the objective of resolving the dispute.
6. If all parties to a dispute agree to Alternative Dispute Resolution or mediation, the Case Manager may refer the alternate dispute resolution process to a resolution facilitator of the Sport Dispute Resolution Centre of Canada (SDRCC).
7. If all parties to a dispute agree to Alternative Dispute Resolution, a mediator or facilitator, acceptable to all parties, shall be appointed to mediate or facilitate the dispute.
8. 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.
9. Should a negotiated decision be reached, the decision shall be reported to, and approved by Softball Canada. 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 Softball Canada's approval.
10. 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 Alternative Dispute Resolution, the dispute shall be considered under the appropriate section of the *Discipline and Complaints Policy* or *Appeal Policy*, as applicable.

**Final and Binding**

11. Any negotiated decision will be binding on the parties. Negotiated decisions may not be appealed.