



CROSS COUNTRY SKI ASSOCIATION OF MANITOBA DISPUTE RESOLUTION POLICY

“Organization” refers to: Cross Country Ski Association of Manitoba (CCSAM)

Definitions

1. The following term has this meaning in this Policy:
 - a. “*Athlete*” – An individual who is an Athlete Participant in the Organization
 - b. “*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, and Directors and Officers

Purpose

2. The Organization 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.
3. The Organization encourages all Participants to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. The Organization 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

4. This Policy applies to all Participants. Any CCSAM Member Club using this Policy in the absence of their own club policy will replace all references to “Organization” with their Club Name.
5. 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

6. The dispute will first be referred to the Organization’s President (or designate) for review, with the objective of resolving the dispute via Alternative Dispute Resolution and/or mediation.
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, the Organization. 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 Organization'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 Organization's *Discipline and Complaints Policy*.

Final and Binding

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

Board Approval Date: March 21, 2023

APPENDIX A – Notice of Disagreement

Date: _____

Individual Contact Information:

Name: _____

Mailing Address: _____

Telephone numbers: Home: _____ Wk: _____ Other: _____

Email: _____

Disagreement:

What decision or practice do you disagree with _____

Why do you think the decision is wrong or unfair? _____

Respondent:

Who made the decision? _____

When was the decision taken? _____

Remedy:

What action or decision do you want CCSAM to take or make to correct the situation?

