

Approved: November 27, 2016

## **ROWONTARIO DISPUTE RESOLUTION POLICY**

### **1. Policy Statement**

- a. ROWONTARIO supports the principles of Alternative Dispute Resolution (ADR) and is committed to the techniques of negotiation, facilitation, mediation and arbitration as effective ways to resolve disputes with and among members, and to avoid the uncertainty, costs and other negative effects associated with litigation.

### **2. Scope**

- a. This policy applies to disputes with and among members, where the term “Member” refers to all categories of members within ROWONTARIO, as well as to all individuals engaged in activities with or employed by ROWONTARIO, including, but not limited to directors, officers, coaches, athletes, Umpires, volunteers, medical and paramedical personnel, employees and other members.

### **3. Negotiation**

- a. ROWONTARIO encourages all Members to communicate openly and to collaborate in using problem-solving and negotiation techniques to resolve their differences. In almost all cases a negotiated settlement is preferable to any outcome achieved through other dispute resolution techniques, and negotiated resolutions to disputes with and among Members are strongly encouraged.

### **4. Facilitation and Mediation**

- a. Opportunities for facilitation and mediation may be pursued at any point in a dispute within ROWONTARIO where it is appropriate and where the disputing parties agree that such a course of action would be mutually beneficial.
- b. Where mediation is pursued, it will be done so in accordance with standard mediation practice using trained mediators who are acceptable to the parties, or alternatively, with the consent of the parties it may be pursued through the Sport Dispute Resolution Centre of Canada (SDRCC). The SDRCC website [www.crdsd-sdrcc.ca](http://www.crdsd-sdrcc.ca) provides a list of trained mediators whose services can be retained to undertake a mediation.

### **5. Appeals**

- a. Appeals within ROWONTARIO will be dealt with under the ROWONTARIO Appeals Policy.

### **6. Arbitration**

- a. In the event that a dispute persists after internal avenues of decision-making, negotiation, facilitation, mediation and/or appeals have been exhausted, the parties may pursue opportunities for arbitration.
- b. Where arbitration is pursued, it will be done so in accordance with standard arbitration practice using trained arbitrators who are acceptable to the parties, or alternatively, with the consent of the parties it may be pursued through the SDRCC.

c. Where arbitration is pursued through the SDRCC, it will be done so in

- accordance with the rules of arbitration prescribed by the SDRCC.
- d. The parties involved in a dispute may also mutually agree to bypass internal avenues of dispute resolution, including appeals, and may directly pursue opportunities for arbitration.
  - e. Where a dispute is referred to arbitration, all parties to the original dispute will become parties to the arbitration.
  - f. The parties to arbitration will enter into a written Arbitration Agreement that will specify that the decision of the arbitrator will be final and binding upon the parties and not subject to any further review by any court or any other body.

**7. No Legal Action**

- a. No action, application for judicial review or other legal proceeding will be brought against ROWONTARIO respecting a dispute, unless the remedies afforded by this policy have not been offered or have been exhausted. In no case may a party pursue legal action against ROWONTARIO in respect of an arbitration, for which the parties have entered into a written Arbitration Agreement.