



Dispute Resolution Policy

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PURPOSE

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

APPLICATION OF THIS POLICY

3. This Policy applies to all Organization Participants.
4. 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.
5. Any violation of applicable Curling Canada policy that may be considered “Prohibited Behaviour” or “Maltreatment” (as defined in the UCCMS) when the Respondent is an Organizational Participant who has been designated by Curling Canada as a UCCMS Participant (as defined in the *Discipline and Complaints Policy*), will be handled pursuant to the policies and procedures of the Office of the Sport Integrity Commissioner (“OSIC”), subject to the rights of Curling Canada as set out in the *Discipline and Complaints Policy* and any applicable workplace policies.

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. The costs of the mediation or facilitation shall be borne by the Parties, unless agreed to otherwise with Curling Canada.

7. Where Curling Canada is involved in the matter, it may, upon agreement of the Parties, refer the matter for mediation using the mediation services of the Sport Dispute Resolution Centre of Canada (SDRCC).
8. 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.
9. Should a negotiated decision be reached, the decision shall be reported to Curling Canada. Any actions that are to take place as a result of the settlement shall be enacted on the timelines specified by the negotiated settlement.
10. 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 Curling Canada's *Discipline and Complaints Policy* or *Appeal Policy*, as applicable.

FINAL AND BINDING

11. Any negotiated settlement will be binding on the Parties and shall remain confidential, unless otherwise agreed to by the Parties. Negotiated settlements may not be appealed.
12. No action or legal proceeding will be commenced against Curling Canada in respect of a dispute, unless Curling Canada has refused or failed to provide or abide by the dispute resolution processes set out in its governing documents.

PRIVACY

13. Negotiated settlements shall be protected by Curling Canada's Privacy Policy.
14. The collection, use and disclosure of any personal information pursuant to this Policy is subject to Curling Canada's Privacy Policy.
15. Curling Canada, or any of their delegates pursuant to this Policy, shall comply with Curling Canada's Privacy Policy in the performance of their services under this Policy.

DEFINITIONS

16. The following term has this meaning in this Policy:
 - a) ***Organizational Participant*** – Refers to all categories of individual members and/or registrants defined in the By-laws of Curling Canada who are subject to the policies of Curling Canada, as well as all people employed by, contracted by, or engaged in activities with, Curling Canada including, but not limited to, employees, contractors, Athletes, coaches, instructors, officials, Athlete Support Personnel, volunteers, managers, administrators, parents or guardians, spectators, committee members, and Directors and Officers.