



# Squash Canada

## Alternate Dispute Resolution Policy

*Approved by the Squash Canada Board of Directors, June 21, 2018*

***This Policy has been prepared by Squash Canada to be a Pan-Canadian Policy applicable to Squash Canada and its Member Provincial/Territorial Squash Associations that have approved the adoption of the Policy.***

### **Definitions**

1. The following terms have this meaning in this Policy:
  - a) *“Individuals”* – All categories of membership defined in the Squash Canada Bylaws or PTA Bylaws, as well as all individuals engaged in activities with Squash Canada or its PTAs including, but not limited to, athletes, coaches, mission staff, chefs de mission, officials, volunteers, committee members, parents or guardians, and Directors and Officers.
  - b) *“PTA”* – Provincial/Territorial Squash Association recognized by Squash Canada
  - c) *“Organization”* - Squash Canada or a PTA, as applicable

### **Purpose**

2. Squash Canada and its PTAs support the principles of Alternate Dispute Resolution (ADR) and are 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.
3. Squash Canada and its PTAs encourage all Individuals to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. Squash Canada and its PTAs believe that negotiated settlements are usually preferable to outcomes resolved through other dispute resolution techniques. Negotiated resolutions to disputes with and among Individuals are strongly encouraged.

### **Application of this Policy**

4. This Policy applies to all Individuals.
5. Opportunities for Alternate 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.

### **Filing a Dispute**

6. Any Individual may file a dispute with in accordance with Squash Canada’s or a PTA’s *Discipline and Complaints Policy or Appeal Policy*.
7. Any dispute filed against a National Team Athlete class of Squash Canada Membership, must include Squash Canada in the notice of such dispute.

### **Facilitation and Mediation**

8. If all parties to a dispute and Squash Canada or its applicable PTA agree to Alternate Dispute Resolution, a mediator or facilitator shall be appointed to mediate or facilitate the dispute. The mediator or facilitator is

not required to be a Squash Canada or PTA employee or volunteer and may be any individual with the necessary skills to conduct a constructive mediation or facilitation session.

9. 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.
10. Should a negotiated decision be reached, the decision shall be reported to, and approved by, the Organization with jurisdiction of the dispute, either Squash Canada or the applicable PTA.
11. 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 Alternate Dispute Resolution, the dispute shall be considered under the appropriate section of the Organization's *Discipline and Complaints Policy or Appeal Policy*, as applicable.

### **Appeals**

12. Approved negotiated decisions are not appealable.