



## DISPUTE RESOLUTION

<b>Approved by: PSO Management Committee</b>	<b>Review Period:</b> Every 2 years
<b>Date of Approval:</b> May 23, 2025	<b>Next Review Period:</b> February 28, 2027

### PURPOSE

Baseball Manitoba 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.

### POLICY STATEMENT

Baseball Manitoba encourages all Participants to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. Baseball Manitoba 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.

### DEFINITIONS

**“Athlete”** – An individual who is an Athlete Participant in Baseball Manitoba

**“Participants”** – Refers to all categories of individual members and/or registrants defined in the By-laws of Baseball Manitoba who are subject to the policies of Baseball Manitoba, as well as all people employed by, contracted by, or engaged in activities with Baseball Manitoba including, but not limited to, employees, contractors, athletes, coaches, instructors, officials, volunteers, managers, administrators, committee members, parents or guardians, spectators, and Directors and Officers

### APPLICATION /SCOPE

1. This Policy applies to all Participants.
2. 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.

### PROCEDURE

3. The dispute will first be referred to the President of Baseball Manitoba (or designate) for review, with the objective of resolving the dispute via Alternative Dispute Resolution and/or mediation.
4. 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.



## DISPUTE RESOLUTION

5. 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.
6. Should a negotiated decision be reached, the decision shall be reported to, and approved by Baseball Manitoba. 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 Baseball Manitoba's approval.
7. 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 Baseball Manitoba's *Discipline and Complaints Policy*.

### APPEALS

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