



POLICIES AND PROCEDURES MANUAL

Section Six | **Dispute Resolution Policy**

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Table of Contents

1	Dispute Resolution Policy.....	3
1.1	Definitions (02 20).....	3
1.2	Purpose	3
1.3	Application of this Policy.....	3
1.4	Facilitation and Mediation	3
1.5	Final and Binding.....	4
1.6	SSA & Canada Soccer By-laws	4

1 Dispute Resolution Policy

1.1 Definitions (02 20)

- 1.1.1 The following term has this meaning in this policy:
- a) *“Governing Body”* – The organization that has the authority to manage a judicial process as per the policies of the governing body. Governing body may refer to Canada Soccer, SSA, or Member Organizations, clubs/zones or entities that are members of SSA.
“Members” – All members defined by SSA by-laws and for the purposes of this policy shall also include parents, guardians, and caregivers of individual members and spectators at SSA events and SSA sanctioned competitions.
 - b) *“SSA”* – Saskatchewan Soccer Association (the “Association”)

1.2 Purpose

- 1.2.1 SSA supports the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes. Dispute resolution also avoids the uncertainty, costs, and other negative effects associated with formal complaints, subsequent appeals or potential litigation.
- 1.2.2 SSA encourages all members to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. Negotiated resolutions to solve disputes with and among members are encouraged.
- 1.2.3 As stated in the SSA By-laws, SSA Member Organizations are responsible to have bylaws, policies and regulations in place that meet the standards set by this policy; in the absence of such written policies, SSA members shall be bound by the principles and standards set out herein.

1.3 Application of this Policy

- 1.3.1 This policy applies to all members.
- 1.3.2 Opportunities for dispute resolution may be pursued at any point in a dispute (prior to any decision of an adjudicator/panel) within SSA when all parties to the dispute agree that such a course of action would be mutually beneficial.

1.4 Facilitation and Mediation

- 1.4.1 As directed by the *Formal Complaints Policy*, SSA will appoint a case manager to oversee the management and administration of this policy and such appointment is not appealable.

- 1.4.2 If all parties to a dispute agree to dispute resolution, a mediator or facilitator, acceptable to all parties, shall be appointed by the case manager to mediate or facilitate the dispute. Costs related to mediation and facilitation (if any) will be shared equally by the parties, unless determined otherwise by SSA. In the event that the parties cannot agree to the mediator or facilitator, SSA will appoint one.
- 1.4.3 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.
- 1.4.4 Should a negotiated decision be reached, the decision shall be reported to and approved by SSA. 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 SSA's approval.
- 1.4.5 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 dispute resolution, the dispute shall be referred back to and resolved by the *Formal Complaints Policy*, and the *Discipline Policy*, as required.

1.5 Final and Binding

- 1.5.1 Any negotiated decision will be binding on the parties. Negotiated decisions shall not be appealed.
- 1.5.2 No action or legal proceeding will be commenced against SSA or its members in respect of a dispute, unless SSA has refused or failed to provide or abide by the dispute resolution processes set out in its by-laws, rules, regulation, policies and procedures.

1.6 SSA & Canada Soccer By-laws

- 1.6.1 Refer to SSA By-laws Article 12.3 for further details on dispute resolution that are required under SSA and Canada Soccer by-laws.