

Swift Current Soccer Association



DISPUTE RESOLUTION POLICY

Effective: Sept 10, 2018

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1. Dispute Resolution Policy

1.1 Definitions

1.1.1 The following term has this meaning in this Policy:

- a) “SCSA” – Swift Current Soccer Association
- b) “*Governing Body*” – The organization that has the authority to manage a discipline complaint per the policies of the Governing Body. Governing Body may refer to the Canadian Soccer Association, Saskatchewan Soccer Association, SCSA, or Clubs/Zones or Entities that are Members of the SCSA.
- c) “*Members*” – All Members defined by the SCSA’s Bylaws/Constitution and for the purposes of this policy shall also include all individuals associated or affiliated with the SCSA, including but not limited to athletes, coaches, officials, volunteers, managers, administrators, committee members, directors, officers, and parents and spectators at SCSA events and SCSA sanctioned competitions.

1.2 Purpose

1.2.1 The **SCSA** supports the techniques of negotiations, facilitation, and mediation as effective ways to resolve disputes. Dispute Resolution also avoids uncertainty, costs, and other negative effects associated with formal complaints, subsequent appeals, or potential litigation.

1.2.2 The **SCSA** 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 The **SCSA** is responsible to ensure that their Dispute Resolution Policy is consistent with the policy of the Saskatchewan Soccer Association.

1.2.4 In the event that **SCSA** does not have similar processes or policies, the policies of the Saskatchewan Soccer Association will be deemed adopted and amended accordingly for the application by the SCSA.

1.3 Application of this Policy

1.3.1 This Policy applies to all members.

- 1.3.2 Opportunities for the Dispute Resolution may be pursued at any point in a dispute (prior to any decision of an Adjudicator/Panel) within the SCSA 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, the SCSA 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 the SCSA. In the event that the parties cannot agree to the mediator or facilitator, the SCSA will appointment 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 the SCSA. 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 the SCSA'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*.

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 the SCSA or its Members in respect of a dispute, unless the SCSA has refused or failed to provide or abide by the dispute resolution processes set out in it's bylaws, rules, regulations, policies and procedures.