

# DISPUTE RESOLUTION POLICY

## SECTION 1 – GENERAL

1. The Mississauga Skating Club Inc. (MSC) supports the principles of dispute resolution and is committed to the techniques of negotiation, facilitation, mediation, and arbitration as effective ways to resolve disputes with and among members.
2. In case of a conflict between MSC members, the individuals involved in the dispute must make every effort to resolve the conflict amongst themselves.
3. All registrants of MSC, including the Respondent, must cooperate with an investigation under this section.
4. MSC follows all guidelines identified by [Skate Canada's National Safe Sport Program](#).

## SECTION 2 – SCOPE AND APPLICATION

1. This policy applies to all disputes with and among members or individuals engaged in activities with or contracted by the Club.
2. A dispute is characterized by a disagreement between two or more parties and may consist of single or multiple incidents. The gravity of a dispute may vary significantly and may be characterized by a range of actions, implications, or consequences. Examples include:
  - A complaint alleging that a board member, volunteer, employee, skater, team, coach, official, parent/guardian or spectator is guilty of misconduct.
  - A dispute relating to team selection.
  - Any other request for resolution of a dispute arising from or relating to the activities of the Club.

## SECTION 3 – REPORTING A DISPUTE

1. Any individual subject to this policy may report a dispute.
2. After making every effort to resolve the conflict amongst themselves, a complaint can then be made to the President ([president@mississaugafsc.com](mailto:president@mississaugafsc.com)) in writing (signed and dated by the complainant) as soon as reasonably possible and within seven (7) business days as set by this policy. Should the report involve the President, the report will be subsequently managed by the Vice-President.

## SECTION 4 – REFERRAL AND REVIEW OF COMPLAINTS AND INCIDENTS

1. The President will immediately advise the Executive Board and the Respondent(s) named in the complaint that a complaint has been filed and, within three (3) business days, provide each with a copy of the complaint.
2. If the dispute is considered to be trivial, frivolous or vexatious in nature, the President will advise complainant and thereafter shall take no further action in relation to that dispute.
3. The President may extend the time for submission of a complaint notwithstanding the expiration of the time set by this policy.

## SECTION 5 – INVESTIGATION COMMITTEE

This committee will consist of three (3) representatives: Vice-President as the Chairperson, one non-executive board member and one coach member of the board, to be selected at the beginning of the season. Should the report involve the Vice-President or a Coach, the investigation will be subsequently managed by an alternative member of the Executive Board/Board, ensuring there is no conflict of interest from either party, as per [MSC Conflict of Interest](#) policy.

## SECTION 6 – INVESTIGATION PROCEDURE

1. Disputes will be first referred to the President for consideration, clarification, and possible resolution.
2. The Investigation Committee will:
  - a. Provide a copy of the complaint to the Respondent within three (3) business days,
  - b. Gather information from the Respondent and any witnesses in regard to the dispute,
  - c. Facilitate a meeting between the parties and/or make recommendations for resolution.
  - d. A recommendation will be made to the President and this recommendation may include:
    - i. That the matter has been resolved between the parties and no further action should be taken,
    - ii. That no further action is warranted based on the facts of the case, or
    - iii. That the issue needs to be escalated to Skate Ontario for resolution
  - e. Upon completion of the investigation, the Chairperson shall make a written report to the President, which will include the decision and any matters disclosed during the investigation.
3. The Executive Board shall notify the parties of the investigation findings and provide a written report.

## SECTION 7 - RECORDS AND USE OF DECISIONS

1. The Executive Board shall maintain a record of all decisions of investigations.
2. The Investigation Committee and Board may consider the decisions of previous investigations but are not bound by the precedent.

## SECTION 8 – APPEAL PROCESS

1. If the dispute is not resolved to the satisfaction of both parties at Club level, it may be referred to the Skate Ontario office through methods that may include: communication with individual(s); early resolution facilitation; mediation; and/or arbitration.
2. If the Club's and Skate Ontario's Dispute Resolution Process has been exhausted, either party may direct their concern in writing to Skate Canada for resolution in accordance with Skate Canada's *General Disputes Reporting and Resolution Policy* by email to [safesport@skatecanada.ca](mailto:safesport@skatecanada.ca) or by telephone to 1-888-747-2372.
3. A fee may be charged by Skate Canada to the parties involved.

## **SECTION 9 – CONFIDENTIALITY**

In order to demonstrate respect for all parties, the Club shall abide by principles of confidentiality in implementing the Dispute Resolution Policy.

## **SECTION 10 – GOOD FAITH**

### **No Retaliation for Good Faith Reports**

Retaliation against an individual who has reported an incident in good faith will not be tolerated and one who retaliates is subject to discipline up to and including expulsion.

### **Acting in Good Faith**

Anyone reporting a concern must be acting in good faith and have reasonable grounds for believing the information being reported is true and accurate. Any allegations that prove not to be substantiated and prove to have been malicious or intentionally false will be viewed as a serious offence, subject to disciplinary action.