



Campbell River Killer Whales Dispute Resolution Policy

Approved by: CRKW Board of Directors

Date of Approval: August 9, 2022

Next Review: August 2024

Definitions

1. The following terms have these meanings in this Policy:

- a) "Parties" - The Complainant, Respondent, and any other Individuals, persons, or organizations affected by a dispute.
- b) "Individuals" - All categories of membership defined in CRKW's Bylaws, as well as all individuals employed by, or engaged in activities with CRKW including, but not limited to, athletes, coaches, officials, volunteers, managers, administrators, committee members, and directors and officers of CRKW.
- c) "Mediator" – a neutral person who assists the parties in a dispute in communicating and negotiating a settlement.
- d) "Alternate Dispute Resolution" - processes and techniques that act as a means for disagreeing parties to come to an agreement short of litigation.
- e) "Society" – Campbell River Killer Whales ("CRKW")

Purpose

2. CRKW supports the principles of Alternate Dispute Resolution ("ADR") and is committed to the techniques of negotiation and mediation as effective ways to resolve disputes. ADR also avoids the uncertainty of costs, and other negative effects associated with lengthy complaints or appeals, or with litigation.

3. CRKW encourages all individuals and parties to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. CRKW believes 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

4. This Policy applies to all Individuals.
5. Opportunities for Alternate Dispute Resolution may be pursued at any point in a dispute within CRKW when all parties to the dispute agree that such a course of action would be mutually beneficial.
6. This Policy does not supersede any other CRKW policy.

Mediation

7. If all parties to a dispute agree to Alternate Dispute Resolution, a mediator acceptable to all parties shall be appointed to mediate or facilitate the dispute. The mediator shall be sourced from contacts within the sport community and will be familiar with the role. In appropriate circumstances, the Club President may act as a mediator, subject to acceptance by both parties to the dispute.
8. The mediator shall decide the format under which the dispute shall be mediated and shall specify a deadline before which the parties must reach a negotiated resolution.
9. Should a negotiated resolution be reached, the outcome shall be reported to the CRKW Board of Directors. Any actions that are to take place as a result of the resolution shall be enacted on the timelines specified therein.
10. The costs of mediation will be shared equally by the parties or, based upon CRKW's sole discretion, paid by the Society.

Final and Binding

11. Any negotiated resolution will be binding on the parties. A negotiated resolution may not be appealed.
12. No action or legal proceeding will be commenced against CRKW or its Individuals in respect of a dispute, unless CRKW has refused or failed to provide or abide by the dispute resolution processes set out in its governing documents.