

DISPUTE RESOLUTION POLICY

Interpretation

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

Alternative Dispute Resolution (“ADR”) – The use of methods such as mediation or facilitation to resolve a dispute instead of a formal discipline process or litigation.

Individuals – refers to all categories of members and/or registrants defined in the Bylaws of Volleyball Canada and in the Bylaws of a Provincial/Territorial Association, as applicable, as well as all people employed by, contracted by, or engaged in activities with or on behalf of, Volleyball Canada or a Provincial/Territorial Association including, but not limited to, employees, contractors, athletes, volleyball clubs, coaches, mission staff, referees, volunteers, managers, administrators, committee members, health care workers, parents or guardians, spectators, and directors and officers.

Purpose

2. The purpose of this Policy is to contribute to the growth and development of volleyball for all Ontarians in a safe sporting environment by supporting the principles of ADR.
3. The OVA encourages all individuals and parties to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. The OVA believes that negotiated settlements are usually preferable to outcomes resolved through other dispute resolution techniques.

Application

4. This Policy applies to all Individuals.
5. This Policy applies to all disputes within the OVA when all parties to the dispute agree that ADR would be mutually beneficial.

Facilitation and Mediation

6. If all parties to a dispute agree to ADR, a mediator or facilitator shall be appointed by OVA to mediate or facilitate the dispute.
7. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated.
8. Should a negotiated decision be reached, the decision shall be reported to the OVA.
9. Should a negotiated decision not be reached by the deadline specified by the mediator or facilitator, or if the parties to the dispute do not agree to ADR, the dispute shall be considered under the appropriate section of the OVA’s Discipline and Complaints Policy, Appeal Policy, or applicable governing document.

Final and Binding

10. Any negotiated decision will be binding on the parties. Negotiated decisions may not be appealed.
11. No action or legal proceeding will be commenced against the OVA or an Individual in respect of a dispute resolved through the ADR process, unless the OVA has refused or failed to abide by the Dispute Resolution Policy.

This Policy is effective January 30, 2024.