

## **CANADIAN SWIMMING COACHES AND TEACHERS ASSOCIATION DISPUTE RESOLUTION POLICY**

### **Definitions**

1. The following terms have these meanings in this Policy:
  - a. "CSCTA" – Canadian Swimming Coaches and Teachers Association.
  - b. "Member"- All categories of membership defined in the CSCTA Bylaws.

### **Purpose**

2. The CSCTA supports the principles of negotiation, facilitation, and mediation as effective ways to resolve disputes.
3. The CSCTA encourages all individuals and parties to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. The CSCTA believes that negotiated settlements are usually preferable to outcomes resolved through other dispute resolution techniques.

### **Application of this Policy**

4. This Policy applies to all disputes within the CSCTA when all parties to the dispute agree that such a course of action would be mutually beneficial.

### **Facilitation and Mediation**

5. If all parties to a dispute agree to this Policy, a mediator or facilitator shall be appointed by the CSCTA to mediate or facilitate the dispute.
6. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated.
7. Should a negotiated decision be reached, the decision shall be reported to, and approved by the CSCTA.
8. 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 this policy, the dispute shall be considered under the appropriate section of CSCTA's *Discipline and Complaints Policy* or *Appeal Policy*.
9. The costs of mediation and facilitation will be shared equally by the parties or paid by the CSCTA upon their sole discretion.

### **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 CSCTA in respect of a dispute, unless the CSCTA has refused or failed to provide or abide by its governing documents.