

Dispute Resolution Policy



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1. Policy Objective

1.1 The purpose of this policy is to outline the methods available to the British Columbia Provincial Football Association (BCPFA) Member Organisations and Individual Members to resolve disputes, in line with the BCPFA's corporate values of fairness, respect, equity and inclusion.

2. Policy Statement

2.1 It is the policy of the BCPFA to:

- (a) support the principles of Alternate Dispute Resolution (ADR);
- (b) encourage open communication, collaboration, and use problem-solving and negotiation to resolve disputes; and
- (c) facilitate and encourage negotiated resolutions over other dispute resolution techniques.

3. Application

3.1 This policy applies to all Member organizations and individuals of the BCPFA. This policy does not apply to issues, disputes or complaints relating to BCPFA competitions or representative teams.

3.2 Please refer to the Rules of Competition or the BCPFA Discipline Policy for any issues relating to BCPFA competitions.

3.3 Please refer to the relevant Provincial Team Selection Policy for any issues relating to representative competitions.

4. Accountability

4.1 This policy applies to all BCPFA Board Members, members of staff, Committee Members, BCPFA Working Groups, and any contractor or volunteer that is acting on behalf of the BCPFA.

5. Supporting Policies

5.1 This policy is supported by the following BC Rugby Internal policies:

- (a) BCPFA Code of Conduct
- (b) BCPFA Conflict of Interest Policy
- (c) BCPFA Appeal Policy

5.2 This policy is supported by the following external policies:

- (a) Football Canada's Appeal Policy

6. Filing a Dispute

6.1 Any Member organization or individual may file a dispute with the BCPFA Executive Director and/or President. The dispute must be signed and submitted in writing within 14 days of the alleged incident or decision. Anonymous disputes may be accepted at the sole discretion of the BCPFA President.

6.2 A dispute filed outside of the 14-day period must provide a written statement giving reasons for an exemption to this limitation. The decision to accept, or not accept, the dispute outside of the 14-day period will be at the sole discretion of the BCPFA President. This decision may not be appealed.

7. Facilitation and Mediation

7.1 The dispute will first be referred to the BCPFA's Executive Director (or designate) for review, with the objective of resolving the dispute via Alternative Dispute Resolution (ADR) and/or mediation.

7.2 If all parties to a dispute agree to the ADR, a mediator or facilitator, acceptable to all parties, shall be appointed to mediate or facilitate the dispute.

7.3 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.

7.4 Should a negotiated decision be reached, the decision shall be reported to, and approved, by the BCPFA. 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 BCPFA's approval.

7.5 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 ADR, the dispute shall be considered by BCPFA's Board of Directors in line with the BCPFA's corporate values of fairness, respect, equity and inclusion.

7.6 The costs of mediation and facilitation will be shared equally by the parties.

8. Appeal

8.1 Negotiated decisions may not be appealed.

8.2 In the circumstance that the BCPFA's Board of Directors have considered the dispute and made a ruling, both parties will have the option to appeal that ruling through the BCPFA's Appeal Policy or through Football Canada's Appeal Policy.

9. Final and Binding

9.1 Any negotiated decision will be binding on the parties.

9.2 No action or legal proceeding will be commenced against the BCPFA or its individuals in respect of a dispute, unless the BCPFA has refused or failed to provide or abide by the dispute resolution processes set out in its governing documents.