



ONTARIO VOLLEYBALL ASSOCIATION (OVA) DISPUTE RESOLUTION POLICY

Definitions

1. The following terms have these meanings in this Policy:
 - a) “*Alternative Dispute Resolution*” – The use of methods such as mediation, arbitration, facilitation to resolve a dispute instead of a formal discipline process or litigation.
 - b) “*Individual*” - All categories of membership defined in Section 2.1 of the Ontario Volleyball Association (OVA) constitution and by-laws including but not limited to, clubs, athletes, coaches, officials, volunteers, managers, administrators, directors and officers of the OVA, spectators at events, and parents/guardians of athletes.

Purpose

1. 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 Alternate Dispute Resolution (ADR).
2. The OVA is committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes.
3. The OVA encourages all individuals and parties to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. OVA 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 Individuals.
5. This Policy applies to all disputes within the OVA when all parties to the dispute agree that such Alternate Dispute Resolution would be mutually beneficial.

Facilitation and Mediation

6. If all parties to a dispute agree to Alternate Dispute Resolution, 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, and approved by 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 Alternate



Dispute Resolution, the dispute shall be considered under the appropriate section of OVA's Discipline and Complaints Policy, Appeal Policy, or applicable governing document.

10. The costs of mediation and facilitation will be shared equally by the parties or expensed by the OVA at its sole discretion.

Final and Binding

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