



CANADA BASKETBALL DISPUTE RESOLUTION POLICY

Definitions

1. The following term has this meaning in this Policy:
 - a) *“Participants”* – All categories of individual membership defined in Canada Basketball’s Bylaws, as well as all individuals employed by, or engaged in activities with, Canada Basketball including, but not limited to, athletes, coaches, convenors, referees, officials, volunteers, managers, administrators, committee members, and Directors and Officers of Canada Basketball

Purpose

2. Canada Basketball supports the principles of Alternative Dispute Resolution (ADR) and is committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes. Alternative Dispute Resolution also avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.
3. Canada Basketball encourages all Participants to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. Canada Basketball believes that negotiated settlements are usually preferable to outcomes resolved through other dispute resolution techniques. Negotiated resolutions to disputes with and among Participants are strongly encouraged.

Application of this Policy

4. This Policy applies to all Participants.
5. Opportunities for Alternative Dispute Resolution may be pursued at any point in a dispute when all parties to the dispute agree that such a course of action would be mutually beneficial.

Facilitation and Mediation

6. If all parties to a dispute agree to Alternative Dispute Resolution or medication, the matter may be referred to a resolution facilitator of the Sport Dispute Resolution Centre of Canada (SDRCC).
7. If all parties to a dispute agree to Alternative Dispute Resolution, a mediator or facilitator, acceptable to all parties, shall be appointed to mediate or facilitate the dispute.
8. 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.

9. Should a negotiated decision be reached, the decision shall be reported to, and approved by, Canada Basketball. 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 Canada Basketball's approval.
10. 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 Alternative Dispute Resolution, the dispute shall be considered under the appropriate section of Canada Basketball's *Discipline and Complaints Policy* or *Appeal Policy*, as applicable.

Final and Binding

11. Any negotiated decision will be binding on the parties. Negotiated decisions may not be appealed.

Review and Approval

12. This Policy was reviewed and approved by the Canada Basketball Board of Directors on the 15th day of February 2021.