



Manual of Operations

Title: Dispute Resolution	Number: MO-05-03
Source: LMC	
Approved By: WGHA Board	Date Approved: June 2014 Date Last Reviewed: June 2016, March 2024

Waterloo Girls Hockey Association (WGHA) supports the principles of Alternate Dispute Resolution (ADR) and is committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes. Alternate Dispute Resolution also avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.

DEFINITIONS

The following term has this meaning in this Policy:

- a) "Individuals" – All categories of membership defined in the WGHA's Bylaws, as well as all individuals employed by, or engaged in activities with, the WGHA including, but not limited to, athletes, coaches, convenors, referees, officials, volunteers, managers, administrators, committee members, and directors and officers of the WGHA

WGHA encourages all Individuals to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. The WGHA believes that negotiated settlements are usually preferable to outcomes resolved through other dispute resolution techniques. Negotiated resolutions to disputes with and among Individuals are strongly encouraged.

Opportunities for Alternate Dispute Resolution may be pursued at any point in a dispute within the WGHA when all parties to the dispute agree that such a course of action would be mutually beneficial.

FILING A DISPUTE

Any Individual may file a dispute with the WGHA. The dispute must be in writing and signed, and must be filed within fourteen (14) days of the alleged incident or



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decision. Anonymous disputes may be accepted at the sole discretion of the WGHA.

A dispute filed outside of the fourteen (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 fourteen (14) day period will be at the sole discretion of the WGHA. This decision may not be appealed.

FACILITATION AND MEDIATION

The dispute will first be referred to the WGHA's President (or designate) for review, with the objective of resolving the dispute via Alternate Dispute Resolution and/or mediation.

If all parties to a dispute agree to Alternate Dispute Resolution, a mediator or facilitator, acceptable to all parties, will be appointed to mediate or facilitate the dispute.

The mediator or facilitator will decide the format under which the dispute will be mediated or facilitated, and will specify a deadline before which the parties must reach a negotiated decision.

Should a negotiated decision be reached, the decision will be reported to, and approved by, the WGHA. Any actions that are to take place as a result of the decision will be enacted on the timelines specified by the negotiated decision, pending the WGHA's approval.

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 Alternate Dispute Resolution, the dispute will be considered under the appropriate section of the WGHA's Discipline and Complaints Policy.

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



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FINAL AND BINDING

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

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