

Pacific Coast Swimming Alternative Dispute Resolution Policy

Definitions

1. Terms in this Policy are defined as follows:
 - a) **Participants** – Refers to all categories of individual members and/or registrants defined in the By-laws of Pacific Coast Swimming who are subject to the policies of Pacific Coast Swimming, as well as all people employed by, contracted by, or engaged in activities with, Pacific Coast Swimming including, but not limited to, employees, contractors, Athletes, coaches, instructors, officials, volunteers, managers, administrators, committee members, parents or guardians, spectators, committee members, and Directors and Officers.
2. Pacific Coast Swimming adheres to the principles of Alternative Dispute Resolution (ADR) and is committed to the techniques of mediation, facilitation, and negotiation as effective ways to resolve disputes. ADR also avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.

Pacific Coast Swimming encourages all Participants to communicate openly, and to collaborate and use problem-solving and mediation, facilitation, and negotiation techniques to resolve their differences. Pacific Coast Swimming believes that mediated resolutions are preferable to arbitrated outcomes.

3.

Application of this Policy

4. This Policy applies to all Participants.
5. Opportunities for ADR may be pursued at any point in a dispute; and where appropriate Appeals will go to ADR first.

Facilitation and Mediation

6. A mediator or facilitator, acceptable to all parties, shall be appointed to mediate or facilitate the dispute.
7. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated and may, if they consider it appropriate, specify a deadline before which the parties must reach a negotiated decision.
8. Should a settlement be reached, the written settlement shall be reported to, and approved, by Pacific Coast Swimming. Any actions that are to take place because of the decision shall be enacted on the timelines specified by the decision, pending approval.
9. Should a settlement not be reached by the deadline specified by the mediator or facilitator at the start of the process (if set), or if the parties to the dispute do not agree to ADR, the dispute shall be considered under the appropriate section of the *Discipline and Complaints Policy* or *Appeal Policy*, as applicable.

Final and Binding

10. Any settlement will be binding on the parties. Settlements may not be appealed

Version	Amended Section(s)	Approved Date	Approved By
1.0	Initial Document	Sept 13, 2022	PCSPA Board