



## British Columbia Yukon Section Skate Canada Policies and Procedures

3.3

Conflict, Mediation & Harassment Policy

Revision Date: April 2016

### Individual Level

1. Although conflicts can be difficult and challenging, BC/YK Section and Skate Canada strongly encourage the individuals involved to make every effort to resolve the conflict amongst themselves.

### Club Level

1. Where reasonable attempts to resolve the conflict fail, a complaint may be made in writing to the Club's Board of Directors for assistance to resolve the dispute. If the complaint filed is against the Chairperson or member of the core executive, the respondent must immediately recuse him or herself from any involvement with the management of the process, real or perceived.
2. Upon receipt of a written complaint the Executive shall respond in writing to the Complainant acknowledging receipt of the complaint. The Complainant will be requested to advise the club Board of Directors in writing as to whether they wish to pursue the complaint. Both parties are expected to enter into this process in good faith with the full intention of reaching a resolution.
3. If the Complainant intends to proceed with the complaint the Club Conflict Mediation Committee will be empowered. If the club does not have a Conflict Mediation Committee already in place then the Board of Directors shall appoint a three-person panel, which is acceptable to both parties.

NOTE: Those members chosen to sit on such a panel must recognize that they are not being asked to serve in a judicial manner; they are not to judge, assign blame, or mete out punishment. Their purpose is as described in the various names of the process – they are being asked to “resolve”, “facilitate”, or “mediate” a conflict between members. The successful committee will be one that makes it their priority to: negotiate, arbitrate and broker a settlement, which will allow both of the party's to feel somewhat satisfied. In most situations their primary responsibilities will be to work towards a compromise that can be accepted by both parties and by their associates/members. To create a lasting peace within the organization there can be no obvious “winner”.

4. The Respondent shall be asked to respond to the complaint in writing to the Mediation Committee immediately or at the very latest within two weeks.

5. If requested by either the Complainant or the Respondent a meeting of the Club Mediation Committee will be held at which both parties will be present.
6. The Club Conflict Mediation Committee shall prepare a written report outlining the allegations of the Complainant, the response of the Respondent and the evidence of any witnesses. The conclusions reached as to the allegations, the decisions, and the underlying reasons for those decisions, and the recommendations as to the appropriate resolution should be included. The report shall be provided to all parties involved.
7. If resolution cannot be reached following these procedures at the Club level, the Club Board of Directors and/or the Complainant may contact the Region Chairman and seek the assistance of the Region Conflict Mediation Committee.

### **Region Level**

1. When a complaint cannot be resolved at the Club level, the club executive or complainant may request assistance from the Region, who in turn will empower their Conflict Mediation Committee, composed of the Region Chair and two other region members as decided upon by the region executive.
2. The Region Committee will acknowledge the receipt of the request in writing to the Club Board of Directors, the Complainant and the Respondent.
3. The Region Conflict Mediation Committee will then arrange a meeting convenient for all and the Chairman of the Region Committee shall chair this meeting. Meeting may be in person, by telephone conference call, by email or by other means as agreed convenient by the party's involved.
4. The Region Conflict Mediation Committee shall confer with all other resources required to bring clarity to the documentation presented.
5. The Region Committee shall respond verbally and then prepare a written report outlining their conclusion and the underlying reasons for their conclusions.
6. If a resolution cannot be reached following the Regions participation then the complaint shall be elevated to the Section Level

### **Section Level**

1. When a complaint has not been resolved at the Region Level, the Region Board of Directors shall request assistance from the Section Conflict Mediation Committee. This request must be made in writing to the BC/YT Section Board of Directors and must include all supporting documentation.

2. The Section Conflict Mediation Committee shall acknowledge receipt of the request and documentation in writing to the Region Board of Directors, the Complainant and the Respondent
3. The Section Conflict Mediation Committee shall review the documentation and investigate further as required to ensure all necessary information has been accumulated and validated.
4. The Section Conflict Mediation Committee may confer with any other resources as required to bring further clarity to the documentation. (e.g. Lawyers, Skate Canada Member Services, Members of the Section Board of Directors)
5. The Section Conflict Mediation Committee shall prepare a written report outlining their conclusions, the underlying reasons for those conclusions with their recommendations, and provide copies to the Region, Club, the Complainant and the Respondent.
6. If resolution has not been reached following the Dispute Mediation Process at the Section level, or it is deemed necessary to elevate the complaint to Skate Canada, the Section Mediation Committee shall, at the request of the Complainant or Respondent, seek assistance from Skate Canada in accordance with the Skate Canada Complaints, Suspension and Expulsion Policy. At any stage of this process, the Club or Region Investigating Committee, or the Section Dispute Mediation Committee may designate a mediator or other neutral facilitator to assist the Complainant and Respondent to settle the complaint. The mediation process may only be done with the consent of the Complainant and the Respondent. The identity of the mediator or other neutral facilitator shall be agreeable to all parties. In the event that the matter is resolved following such mediation, the parties shall notify the Club, Region or the Section Mediation Committee, as the case may be, that the complaint has been resolved.

## **Mediation**