



## CANADIAN SPORT INSTITUTE CALGARY ALTERNATIVE DISPUTE RESOLUTION (ADR) POLICY

### **Purpose:**

The Canadian Sport Institute Calgary (CSI Calgary) supports the principles of Alternative Dispute Resolution (ADR) and is committed to the techniques of mediation and arbitration as effective ways to resolve disputes and to avoid the uncertainty and cost associated with litigation.

### **General Policies:**

**1. Mediation:** Opportunities for mediation may be pursued at any point in a dispute between the CSI Calgary and an athlete or coach, where it is appropriate and where the parties agree that such a course of action would be mutually beneficial. In such cases mediation shall be carried out pursuant to the rules of the Sport Dispute Resolution Centre of Canada.

**2. Arbitration:** In the event that a dispute persists after all internal decision processes, including appeals, have been exhausted, opportunities for binding final arbitration may be pursued by the parties.

Where the continuing dispute relates to an Appeal Panel having made a decision that was outside its jurisdiction, having failed to follow proper procedures, or having made a decision that was influenced by bias, such a dispute may be dealt with through binding arbitration pursuant to the rules of the Sport Dispute Resolution Centre of Canada.

Should a dispute be referred to arbitration, all parties to the original appeal shall be parties to the arbitration.

The parties to the arbitration shall enter into a written Arbitration Agreement that shall specify that the decision of the arbitrator shall be final and binding upon the parties and not subject to any further review by any court or any other body.

No evidence of anything said or of any communication made in the course of the arbitration is admissible in any legal proceeding except with the consent of all the parties to the arbitration.

**3. No Legal Action:** No action, application for judicial review or other legal proceeding shall be commenced against the CSI Calgary in respect of a dispute, unless the CSI Calgary has failed or refused to participate in binding arbitration in accordance with this policy.

**4. Interpretation:** In the event of a dispute between the English and French versions of this policy, the English version shall take precedence.