

Ontario Weightlifting Association Alternative Dispute Resolution Policy

Preamble

The Ontario Weightlifting Association (OWA) supports the principles of Alternative Dispute Resolution (ADR) and is committed to the techniques of the four dispute resolution methods: Resolution Facilitation (RF); Mediation; Med/Arb, and; Arbitration as effective ways to resolve disputes with its members, and avoid the harm of litigation.

The OWA duly recognizes and supports Provision 10 of Bill C-12, an **Act to Promote Physical Activity and Sport**, which created the Sport Dispute Resolution Centre of Canada (SDRCC)¹. Following the SDRCC template of ADR within the national sport community, the OWA as a PSO endeavors to adopt the same processes.

Resolution Facilitation (RF)

RF is a process whereby effective communication and the interests of the parties take precedence over all other factors. RF is an assistance process that allows parties involved in a dispute to communicate more effectively and work towards an agreement.

Mediation

Mediation is the use by disputing parties of a neutral third party to facilitate their own resolution of their dispute. Mediation only brings a dispute to an end if both parties, with the intervention and assistance of the mediator, are able to come to an agreement that resolves the dispute. Opportunities for mediation may be pursued at any point in a dispute where it is appropriate and where the disputing parties agree that such a course of action would be mutually beneficial.

Med/Arb

Med/Arb is a dispute resolution process that combines mediation and arbitration. Initially, the parties try to reach a settlement through mediation. If there are issues that are not resolved through mediation, an arbitrator (the same person who acted as mediator) makes a decision for the parties.

Arbitration

In the event that a dispute persists after internal avenues of decision making, appeals and other ADR methods have been exhausted, opportunities for arbitration may be pursued. Arbitration employs a neutral third party to hear the evidence and decide for the disputants how their conflict should be resolved. Arbitration will bring finality to the dispute whether the parties agree or not; an arbitrator's decision is, and is meant to be, final and binding on the parties to the dispute. The decision of the arbitrator may not accord with the resolution suggested by either party, but it will nevertheless be final.

Legal Action

No action or other legal proceeding shall be commenced against OWA in respect of a dispute, unless the OWA has failed to participate in arbitration in accordance with this policy.

Review and Approval

This Policy was last reviewed and approved by the Board of Directors on June 28, 2020.

DOCUMENT HISTORY

Adopted March 11, 2013

¹ <http://www.crdsc-sdrcc.ca>