

## **Lawn Bowls Nova Scotia Dispute Resolution Policy**

### **Definitions**

1. The following terms have this meaning in this Policy:

a) "Individuals" - All categories of membership as defined by LBNS, as well as all individuals engaged in activities with LBNS including, but not limited to, athletes, coaches, referees, officials, volunteers, managers, committee members, and directors and officers of LBNS

b) Alternate Dispute Resolution (ADR) – An informal process of resolving a dispute using mediation, facilitated communication, and/or negotiation

### **Purpose**

2. LBNS 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.

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

### **Application of this Policy**

4. This Policy applies to all Individuals.

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

### **Facilitation and Mediation**

6. If all parties to a dispute agree to Alternate Dispute Resolution, 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 shall specify a deadline before which the parties must reach a negotiated decision.

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

9. 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 shall be considered under the appropriate section of LBNS's Discipline and Complaints Policy.

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

### **Final and Binding**

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

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

Approved: May 5, 2019