

Pictou County Mariners DISPUTE RESOLUTION POLICY

Definitions

1. The following terms have these meanings in this Policy:

- a) “*Member*”- All categories of membership defined in the PCM Bylaws, as well as all individuals engaged in activities with PCM, including but not limited to, directors, officers, committee members, coaches, officials, volunteers, and administrators.
- b) “*PCM*” – Pictou County Mariners

Purpose

2. PCM supports the principles of Alternate Dispute Resolution (ADR) and is committed to the techniques of negotiation, facilitation, mediation and arbitration as effective ways to resolve disputes

with and among members, and to avoid the uncertainty, costs and other negative effects associated with litigation.

3. PCM encourages all Members to communicate openly and to collaborate in using problem-solving and negotiation techniques to resolve their differences. In almost all cases a negotiated settlement is preferable to any outcome achieved through other dispute resolution techniques, and negotiated resolutions to disputes with and among Members are strongly encouraged.

Application of this Policy

4. This Policy applies to Members.

Facilitation and Mediation

5. Opportunities for negotiation, facilitation, mediation, and arbitration may be pursued at any point in a dispute within PCM where it is appropriate and where the disputing parties agree that such a course of action may well be mutually beneficial.

6. The costs of any Alternate Dispute Resolution process shall be shared equally by the parties.

Arbitration

7. In the event that a dispute persists after all other PCM internal remedies have been exhausted including negotiation, facilitation, and mediation, the parties may, upon mutual consent proceed with arbitration.

8. Where arbitration is pursued, trained arbitrators who are acceptable to the parties shall determine the dispute.

9. The parties involved in a dispute may also mutually agree to bypass internal avenues of dispute resolution, including appeals, and may directly pursue arbitration.

10. Where a dispute is referred to arbitration, all parties to the original dispute will become parties to the arbitration and will share the costs equally.

11. The parties to arbitration will enter into a written Arbitration Agreement that will specify that the

decision of the arbitrator will be final and binding upon the parties and not subject to any further review by any court or any other body.

No Legal Action

12. No action, application for judicial review or other legal proceeding will be commenced against PCM respecting a dispute, unless the remedies afforded by this policy have not been offered or have been exhausted. In no case may a party pursue legal action against PCM in respect of arbitration, for which the parties have entered into a written Arbitration Agreement.