



CANADA BASKETBALL DISPUTE RESOLUTION POLICY

Definitions

1. The following terms have these meanings in this Policy:
 - a. “*Individual*”- All categories of membership defined in the Canada Basketball Bylaws, provided they are in good standing at the time the appeal is filed, as well as to all individuals engaged in activities with Canada Basketball, including, but not limited to, athletes, coaches, officials, directors, officers, and managers.

Purpose

2. Canada Basketball supports the principles of Alternative 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. Canada Basketball encourages all Individuals 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 all Members as defined in the Definitions.

Facilitation and Mediation

5. Opportunities for facilitation and mediation may be pursued at any point in a dispute within Canada Basketball where it is appropriate.
6. The costs of mediation will be shared equally by the parties or paid by Canada Basketball at their sole discretion.

No Legal Action

7. No action, application for judicial review or other legal proceeding will be commenced against Canada Basketball respecting a dispute, unless the remedies afforded by all Canada Basketball policies have not been offered or have been exhausted.

Review and Approval

13. This Policy was reviewed and approved by the Canada Basketball Board of Directors on the 25th day of May, 2013.