

Georgian Cubs Volleyball Club Dispute Resolution Policy

1. Definitions

The following terms have these meanings in this Code:

1.1 *"Individuals"* - All categories of membership defined in Section 2.1 of the Ontario Volleyball Association (OVA) Constitution and By-laws, as well as, all individuals engaged in activities with the OVA, including but not limited to, clubs, athletes, coaches, officials, volunteers, managers, administrators, directors and officers of the OVA, spectators of OVA events and parents of OVA members.

1.2 *"Dispute Resolution"* - The use of methods such as communication, positive conflict resolution, mediation to resolve the dispute as outlined in this policy.

1.3 *"Dispute Resolution Process"* - The step in which an individual MUST follow in resolving a dispute as outlined in this document.

1.4 *"Complainant"* - The party alleging an infraction.

1.5 *"Respondent"* - The alleged infracting party.

1.6 *"Conflict of Interest"* - Any situation in which an Individual's decision-making in the best interest of the Club, is influenced or could be influenced by competing personal, family, financial, business, or other private interests or relationships.

1.7 *"Perceived Conflict of Interest"* - A perception by an informed person that a Conflict of Interest exists or may exist.

2. Purpose

2.1 The purpose of this Dispute Resolution Policy is to ensure a safe and positive environment in which all individuals are treated with respect by supporting the principles of this Dispute Resolution Policy.

2.2 The Georgian Cubs Volleyball Club (GCVC) is committed to the techniques of negotiation, facilitation, and mediation as effective ways in resolving disputes.

2.3 The GCVC encourages all individuals and parties to communicate openly, collaborate and use positive problem solving and negotiating techniques to resolve their differences. GCVC believes that negotiated settlements are usually preferable to outcomes resolved through other dispute resolution techniques.

3. Application of this Policy

3.1 This Policy applies to all Individuals.

3.2 This Policy applies to all disputes within the GCVC which are **minor** in nature and are deemed to be non-frivolous or non-vexatious and in the jurisdiction of the Club.

3.3 Please note, filing a complaint will not affect the position of the athlete on the current team or within the club.

4. Dispute Resolution Process

4.1 Parties engage in open dialogue to hear concerns and resolve the issues.

4.2 Should a resolution not be met the complainant will complete the GCVC **Complaint Report Form**. This form must be signed and filed within 7 days of the alleged complaint. This form **CANNOT** be filed if a conversation between the parties has not occurred .

4.3 A review of the alleged complaint will be held within 7 days of the file date by not less than 3 people, including but not limited to, the GCVC president, the Respondent and one individual (selected by the Respondent) to record the review minutes.

4.4 The Respondent will be provided with all information related to the nature of the infraction and will have the opportunity to provide information concerning the incident.

4.5 During the review it will be determined whether the complaint is frivolous or vexatious in nature, or outside the jurisdiction of the GCVC. If the complaint is frivolous, vexatious or outside the jurisdiction of the Club, the complaint will be dismissed immediately. No appeal will be allowed.

4.6 Should the review committee determine the complaint to be a minor or major infraction (as deemed by the OVA) a formal review will commence.

4.7 If the complaint falls under a major infraction the OVA will be contacted, the complaint dismissed by the GCVC and released to the OVA. No appeal will be allowed.

4.8 Examples of major infractions include, but are not limited to:

- a. Repeated minor infractions
- b. Intentionally damaging permitted (school) property
- c. Improper handling of monies
- d. Incidents of physical abuse
- e. Pranks, jokes, or other activities that endanger the well being of others
- f. Conduct that intentionally damages the image, credibility, or reputation of the OVA
- g. Behaviour that constitutes harassment, sexual harassment or sexual misconduct
- h. Abusive use of alcohol, any use or possession of alcohol by minors or use or possession of illicit drugs.

4.9 Should the complaint fall under minor infractions a hearing will occur within 7 days of the review.

4.10 Examples of minor infractions are:

- i. Single incidents of failing to achieve expected standards of conduct and do not result in harm to others or the GCVC.

4.11 A hearing of the alleged complaint will be held within 7 days of the review date by not less than 4 people, including but not limited to, the GCVC president, two other members of the coaching staff and the Respondent. (One individual will take on the responsibility of recording the review minutes). If at any time a review member is in a Conflict of Interest, they shall recuse themselves from the review, to avoid any real or perceived conflict of interest to maintain the highest ethical standards of the club. (See section 5 for further details)

4.12 A decision will be made and a course of action (if any) will be laid out. The course of action will be agreed upon by all hearing members and signed. No appeal will be allowed.

4.13 It is expected that all information by ALL parties remain confidential. Once a decision is made and action taken (if required) the complaint will not be revisited in any manner. This is to maintain the highest ethical values and standards of the GCVC.

It is hoped that through positive communication between individuals this Dispute Resolution Process will not be necessary.

5. Conflict of Interest

Where an individual sits on a review or hearing committee that makes decisions that have the potential to provide an advantage over their peers, it is recommended that they recuse themselves entirely from the decision making process.

5.1 Individuals shall not:

- a) Knowingly place themselves in a position where they are under obligation to any person who might benefit from special consideration or who seek preferential treatment from them or;
- b) In performance of their duties, give preferential treatment to family members, friends, colleagues, past athletes who they have coached or parents they are friends with.

5.2 Should an Individual find themselves in a Conflict of Interest or a perceived Conflict of Interest they shall recuse themselves from the review and hearing. Another member of the GCVC will be asked to take their place.