



# ALBERTA WHITEWATER ASSOCIATION

## DISPUTE RESOLUTION POLICY

1. The following are matters that are subject to this policy:
  - a. Results of a race or the actions of a participant in a race;
  - b. Eligibility of an athlete;
  - c. Any disciplinary action, or lack thereof, against any athlete, coach or member of the AWA;
  - d. Any other dispute that the Dispute Resolution Committee decides to hear.
2. Any party may appeal the decision of the Organizing Committee, or its race officials, in respect of any matters set out above, by filing a written notice within one hour of the posted race results of the race event that the deemed action is said to have occurred. If no appeals have been received within that time period all times and places will become final.
3. Each Appeal must be submitted with \$50.00. This sum is refundable only if the Appeal is successful. If the protest is not successful, the fee becomes the property of the AWA.
4. Any Appeal must initially state the nature of the ground upon which the Appeal is being filed. A copy of this notice must be given to the parties that are the subject of the Appeal as soon as possible.
5. The Dispute Resolution Committee
  - a. At this point any member of the committee should withdraw from a Dispute Resolution hearing if
    - (i) he or she is involved or
    - (ii) if there is a conflict of interest. The "alternate member of the committee" will be contacted and the hearing will only proceed when five committee members are present.
  - b. If any member of the committee feels that another member should withdraw from a hearing, the decision will be made by the remaining three members. If a decision about the make-up of the committee cannot be reached, the Chair of AWA, or the Chair of the Organizing Committee should be contacted. It may be necessary, if all parties agree, to have three members on the committee or to bring to the committee a neutral /outside person.
6. The Dispute Resolution Committee (to be known as the committee for the rest of this section) will advise the parties involved of the time and location of the hearing. This should be done as quickly as possible after the competition events have concluded for the day.
7. The appellant (and other parties involved) should submit a detailed report to the committee one hour prior to the hearing.
8. It is the task of the committee to resolve the dispute and announce their decision, in writing, as quickly as possible. The committee is at liberty to hear protests after the time designated, if it is in the best interests of whitewater paddling.
9. The procedure shall be confidential. All parties involved shall agree that the matters brought to, and discussed at the hearing (including evidence and statements) shall remain confidential. The decisions

reached by the committee (and the reasons behind the decisions) will only be released if all parties agree.

- 10.** The committee shall set the agenda for the hearing and determine which aspects of the Appeal they will deal with. The committee will have the power to set their own approach for resolving the Appeal.
- 11.** The following options are available for the hearing: written submissions, electronic written submissions, telephone calls, the attendance of the appellant or other parties or witnesses, or the representation by a coach or club representative of any parties involved.
- 12.** The committee shall have the opportunity to consider such evidence, and in such forms, as it requires and deems appropriate. The committee also has the right to refuse evidence that it deems inappropriate.
- 13.** The committee shall render a decision, in writing, to all parties concerned as soon as possible. A copy shall be given to the chair of AWA. The decision of the committee is final and binding. The parties involved shall not appeal the decision or ask for a variance of the decision. Parties wishing to appeal a decision on the basis of procedure irregularities only shall do so directly to the chair of the AWA.
- 14.** The parties involved are responsible for any costs incurred as a result of this Dispute Resolution.
- 15.** The Organizing Committee will follow any directions given to it by the committee – as soon as possible.
- 16.** The completed Dispute Resolution decision should be filed with the AWA for future reference.