



British Columbia Yukon Section Skate Canada Policies and Procedures

3.3

Conflict, Mediation & Harassment Policy

Revision Date: June 2013

Individual Level

1. The complainant and respondent must first make a reasonable attempt to resolve the conflict amongst themselves.

Club Level

1. Where reasonable attempts to resolve the conflict fail, a complaint may be made in writing to the Club Executive. If the complaint filed is against the Chair or member of the core executive, the respondent must immediately excuse himself or herself from any involvement with the management of the process, real or perceived.
2. Upon receipt of a written complaint the Executive shall respond in writing to the Complainant acknowledging receipt of the complaint and include a copy of the Conflict Mediation Policy. The Complainant will be requested to advise the Club Executive in writing as to whether they wish to pursue the complaint according to the Conflict Mediation Policy. Both parties are expected to enter into this process in good faith with the full intention of reaching a resolution.
3. If the Complainant intends to proceed with the complaint the Club Conflict Mediation Committee will be empowered. If the Club does not have a Conflict Mediation Committee already in place then the Executive shall appoint a three-person panel, which is acceptable to both parties. This committee shall follow the guidelines as set out in the Region and Section policy.

NOTE: Those members chosen to sit on such a panel must recognize that they are not being asked to serve in a judicial manner; they are not to judge, assign blame, or mete out punishment. Their purpose is as described in the various names of the process – they are being asked to “resolve”, “facilitate”, or “mediate” a conflict between members. The successful committee will be one that makes it their priority to:

negotiate, arbitrate and broker a settlement, which will allow both of the party's to feel somewhat satisfied. In most situations their primary responsibilities will be to work towards a compromise that can be accepted by both parties and by their associates/members. To create a lasting peace within the organization there can be no obvious "winner".

4. The Respondent shall be asked to respond to the complaint in writing to the Mediation Committee immediately or at the very latest within two weeks.
5. If requested by either the Complainant or the Respondent a meeting of the Club Mediation Committee will be held at which both parties will be present.

NOTE: In order to ensure the perception of a fair and balanced hearing it is of the utmost importance for the future health of the Club that the decision makers must not be seen by either party to have a personal interest or bias.

6. The Club Conflict Mediation Committee shall prepare a written report outlining the allegations of the Complainant, the response of the Respondent and the evidence of any witnesses. The conclusions reached as to the allegations, the decisions, and the underlying reasons for those decisions, and the recommendations as to the appropriate resolution should be included. The report shall be provided to all parties involved.
7. The Club Mediation Committee shall follow up with the Complainant within one month following the resolution of the complaint to ensure that things are running smoothly.
8. If the resolution cannot be reached following these procedures at the Club level, the Executive and/or the Complainant may contact the Region Chair and seek the assistance of the Region Conflict Mediation Committee.

Region Level

1. When a complaint cannot be resolved at the Club level, the Club Executive or Complainant may request assistance from the Region, who in turn will empower their Conflict Mediation Committee, composed of the Region Chair and two other Region members as decided upon by the Region Executive.

2. This request will be made in writing and include all supporting documents.
3. The Region Committee will acknowledge the receipt of the request in writing to the Club Executive, The complainant and the Respondent.
4. The Region Conflict Mediation Committee will then arrange a meeting convenient for all and the Chair of the Region Committee shall chair this meeting. The meeting may be in person, by telephone conference call, by email or by other means as agreed convenient by the parties involved.
5. The Region Conflict Mediation Committee shall confer with all other resources required to bring clarity to the documentation presented.
6. The Region Committee shall respond verbally and then prepare a written report outlining their conclusion and the underlying reasons for their conclusions.
7. Copies will be distributed to the Complainant, Respondent and to the Club Executive.
8. The Region Conflict Mediation Committee shall follow up with all concerned parties within one month following mediation.
9. If a resolution cannot be reached following the Regions participation then the complaint shall be elevated to the Section Level.

Section Level

1. When a complaint has not been resolved at the Region Level, the Region Board of Directors and/or the Complainant, shall at the request of the Complainant or Respondent, request assistance from the Section Conflict Mediation Committee. (This committee shall include the Section Chair, Past Chair, 1st Vice Chair, Section Coaches Representative and the Chair from the applicable Region) This request must be made in writing to the BC/YK Section Executive Committee and include all supporting documentation.
2. The Section Conflict Mediation Committee shall acknowledge receipt of the request and documentation in writing to the Region Executive, the Complainant and the Respondent.
3. The Section Conflict Mediation Committee shall review the

documentation and investigate further as required to ensure all necessary information has been accumulated and validated.

4. The Section Conflict Mediation Committee may confer with any other resources as required to bring further clarity to the documentation. (eg: Lawyers, Skate Canada Member Services, Members of the Section Board of Directors).
5. The Section Conflict Mediation Committee shall prepare a written report outlining their conclusions, the underlying reasons for those conclusions with their recommendations, and provide copies to the Complainant, the Respondent and the Region Board of Directors.
6. If the Complainant and Respondent accept the recommendations and the complaint is resolved, the Section Conflict Mediation Committee shall follow up with the Region and/or Club Board of Directors, the Complainant and the Respondent within one month following resolution of the complaint to ensure things are running smoothly.
7. If resolution has not been reached following the Conflict Mediation Process at the Section level, or it is deemed necessary to elevate the complaint to Skate Canada, the Section Conflict Mediation Committee shall, at the request of the Complainant or Respondent, seek assistance from Skate Canada in accordance with the Skate Canada Complaints, Suspension and Expulsion Policy.

Mediation

At any stage of this process, the Club Board of Directors, the Region, the investigating committee, or the Section Conflict Mediation Committee may designate a mediator or other neutral facilitator to assist the Complainant and Respondent to settle the complaint. The mediation process may only be done with the consent of the Complainant and the Respondent. The identity of the mediator or other neutral facilitator shall be agreeable to all parties. In the event that the matter is resolved following such mediation the parties shall notify the Club, Region or the Section Conflict Mediation Committee, as the case may be, that the complaint has been resolved.

Harassment

We shall follow the Membership Harassment Policy ByLaw 1204 that

Skate Canada enforces. Attached is said policy. If the BC/YK Section feels that a conflict falls under the Skate Canada Harassment Policy, they will forward the complaint directly to Skate Canada.