



## BC Baseball Umpires Association

### Dispute Resolution Policy

#### **(1.0) Introduction**

The BCBUA believes in fostering a safe, welcoming, and inclusive environment for participants. The purpose of this policy is to provide a mechanism by which disputes between parties, that are not disciplinary in nature, may be resolved. Mediators and committees under this policy have no disciplinary authority.

For the purpose of this policy, 'parties' is defined to include, but not be limited to, umpire, instructors, association staff, evaluators, volunteers, and members of the Board of Directors.

#### **(2.0) Jurisdiction & Mutual Consent**

Both parties must mutually consent to the use of this policy to resolve their dispute. Such consent must be made in writing, as a request to the president (or designate) of the BCBUA and must state whether the parties are consenting to mediation or binding arbitration, per section 4 of this document.

Once entered in binding arbitration, neither party can withdrawal that consent.

#### **(3.0) Dispute Resolution Committee Composition**

When the parties consent to mediation, the president (or designate) will appoint an individual to mediate the dispute.

When the parties consent to binding arbitration, the president (or designate) will appoint a dispute resolution committee, that includes a chairperson and two additional members.

The president may appoint themselves as a chairperson or committee member.



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### **(4.0) Mediation & Binding Arbitration**

The parties may choose to consent to either mediation or binding arbitration to resolve their dispute.

(4.1) Mediation is a process by which a mediator will work with both parties for the purpose of reaching a mutually agreeable solution to the dispute. There is no guarantee that a mutually agreeable solution will be found.

(4.2) Binding arbitration is a process by which a dispute resolution committee will impose a decision that resolves the dispute. Such decision is not subject to further appeal.

### **(5.0) Process**

Given that this policy may be used to resolve a wide variety of disputes, flexibility in process must be given to the mediator or dispute resolution committee.

The process should include:

- The opportunity for both parties to make written submissions to the mediator or chairperson of the dispute resolution committee, explaining their perspective and desired outcome.
- Communications that allow the mediator or dispute resolution committee to seek clarification of the issues and conduct research and investigations, as deemed necessary, for the purpose of gaining further understanding into the dispute.
- A virtual or in-person hearing between the parties, mediator, or committee members. The mediator or chairperson shall determine the process for the hearing. The process must include the opportunity for both parties to present their perspective and ask questions of each other.

### **(6.0) Decision Making**

When deliberating, the dispute resolution committee shall seek to achieve consensus. When consensus cannot be achieved, the committee shall make decisions by majority vote.

The mediator or dispute resolution committee shall issue their decision in writing.