

DISPUTE RESOLUTION POLICY

Definitions

1. The following term has this meaning in this Policy:
 - a) “*SIRC Representative*” – individuals employed by, or engaged in activities on behalf of, SIRC including: directors, staff members, contract personnel, presenters, and volunteers

Purpose

2. SIRC supports the principles of alternate dispute resolution (ADR) and is committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes. Alternate dispute resolution also avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.
3. SIRC encourages all SIRC Representatives to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. SIRC believes that negotiated resolutions are usually preferable to outcomes resolved through other dispute resolution techniques. Negotiated resolutions to disputes with and among SIRC Representatives are strongly encouraged.

Application of this Policy

4. This Policy applies to all SIRC Representatives.
5. Opportunities for alternate dispute resolution may be pursued at any point in a dispute when all parties to the dispute agree that such a course of action would be mutually beneficial.

Facilitation and Mediation

6. If all parties to a dispute agree to alternate dispute resolution, a mediator or facilitator shall be appointed by SIRC and/or the Case Manager and/or Appeal Manager, as applicable, to mediate or facilitate the dispute.
7. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated.
8. Should a negotiated decision be reached, the decision shall be reported to SIRC. Where SIRC may be required to implement any part of a negotiated decision, it shall become a party to the mediation or facilitation, or it shall be given the opportunity to approve the negotiated decision, but only with respect to aspects of the negotiated decision that it may be required to implement.
9. Should a negotiated decision not be reached by the deadline specified by the mediator or facilitator, or if the parties to the dispute do not agree to alternate dispute resolution, the dispute shall be managed under the appropriate section of SIRC’s *Discipline and Complaints Policy*, *Appeal Policy* or policies for human resources, as applicable.

Final and Binding

10. Any negotiated decision will be binding on the parties. Negotiated decisions may not be appealed.

11. No action of legal proceeding will be commenced against SIRC or its representatives in respect of a dispute, unless SIRC has refused or failed to abide by its governing documents.

Privacy

12. The collection, use and disclosure of any personal information pursuant to this Policy is subject to SIRC's Privacy Policy.
13. SIRC, or any of their delegates pursuant to this Policy (i.e., Case Manager, Appeal Manager, Mediator/Facilitator), shall comply with SIRC's Privacy Policy in the performance of their services under this Policy