

BIATHLON ALBERTA

Dispute Resolution Policy

GENERAL GRIEVANCE PROCEDURE:

Any member of Biathlon Alberta may file a grievance that directly affects him/her. The following procedure will be used to resolve the grievance:

1. A grievance must be submitted in writing to the Biathlon Alberta office, to the attention of the President, within 10 (ten) days of the issue and be accompanied by a non-refundable fee of \$100.
2. The grievance must clearly state the nature of the grievance, the parties involved, the desired resolution and be signed by the person filing the grievance.
3. The President (or person acting on behalf of the President) may request clarification of the grievance and will ensure that all other reasonable means to resolve the matter have been exhausted.
4. A panel of 3 (three) members of Biathlon Alberta shall be struck within 3 (three) days of receipt of the grievance. At least one member of the panel shall be a member of the Executive, who shall be the chair of the panel.
5. The panel will ask all concerned parties to submit a written "Agreed Statement of Facts" to the committee within ten days of the request. The committee will meet within 5 (five) days of receipt of all the "Agreed Statement of Facts".
6. The panel is in charge of its own procedure and may, if appropriate, amend the time within which things may be done.
7. The Chair of the panel will send the written decision to all parties within 3 (three) days of the decision.

GRIEVANCE PROCEDURE FOR

ATHLETE SELECTIONS TO TEAMS OR SQUADS:

Any athlete who is a member of Biathlon Alberta may file a grievance concerning selection to a Team (Competitive) or Squad (Training). The following procedures will be used to resolve the grievance:

1. A grievance must be submitted in writing to the Biathlon Alberta office, to the attention of the President, within 3 (three) days of the announcement of the Team or Squad selection and be accompanied by a non-refundable fee of \$50.
2. The grievance must clearly state the nature of the grievance and be signed by the athlete filing the grievance.
3. The President shall review the grievance with the Team/Squad Selection Committee and one other member of the Board of Directors within 3 (three) days of receipt of the grievance.
4. The President shall send the written decision to the athlete within 1 (one) day of the decision.
5. The grievance committee is in charge of its own procedure and may, if appropriate, amend the time within which things may be done.

APPEAL PROCEDURE:

Biathlon Alberta's appeal process is available to any member who considers that a decision by the Association directly affecting him/her was made using unfair procedures or was influenced by bias. A decision **cannot** be appealed simply because a different result is sought. An appeal may be heard only if there are sufficient grounds for the appeal. Appeals which are deemed to have sufficient grounds include those which allege that the respondent made one of the following procedural errors:

- a. made a decision without the appropriate authority or jurisdiction as set out in governing documents;
- b. failed to follow procedures as laid out in the By-Laws or approved policies of Biathlon Alberta;
- c. made a decision which was influenced by bias, where bias is defined as a lack of neutrality to such an extent that the decision-maker is unable to consider other views;
- d. failed to consider relevant information or clearly took into undue account irrelevant information in making the decision;
- e. exercised discretion for an improper purpose; or
- f. made a decision which was manifestly unreasonable.

An Appeal with sufficient grounds will be resolved using the following procedure:

1. All appeals must be submitted in writing to the Biathlon Alberta office within 10 (ten) days of the issue and be accompanied by a non-refundable fee of \$100.
2. The appeal must clearly state the manner in which bias or procedural errors occurred and be signed by the person filing the appeal.
3. A committee of 3 (three) members of Biathlon Alberta shall be struck within 3 (three) days of receipt of the appeal. At least one member of the committee shall be a member of the Executive, who shall be the chair of the committee.
4. The committee is in charge of its own procedure and may hear statements from the parties.
5. The committee may, if appropriate, amend the time within which things may be done.
6. The Chair of the committee will send the written decision to all parties within 3 (three) days of the decision.
7. If the appellant's case is not successful, the cost of hearing the appeal may be imposed on the appellant.
8. The committee's decision is final and binding on all parties.