Plain Language Summary

All disputes should be addressed fairly, first by the person who acted to cause the dispute, and then escalated if no solution is found.

A. PURPOSE AND INTENT

The Association believes issues of concern should be reviewed to ensure the right decision was made. The primary responsibility for correcting issues falls to the person/position that made the decision. If the issue cannot be resolved at this level, the issue may be escalated to the next responsible person or position.

B. WHAT MAY BE DISPUTED

A person may dispute a decision of the staff, executive director or of the Board if the decision is:

1. Believed to be inconsistent with Association by-law or policy
2. Believed to be unfair, unreasonable, or biased against a person or group of persons
3. Unreasonably limits or restricts the actions or rights of a person or group of persons
4. Not a Human Resource issues; which are exempt from this policy. Staff issues are managed through the Association’s Human Resources Policy.

C. DISPUTE RESOLUTION OUTCOMES

If an issue is brought forward, the person or decision-making body may:

1. Change a decision if by-law or policy has been misinterpreted.
2. Withdraw a decision, if the cause of the decision no longer exists.
3. Uphold the decision.
4. Dismiss the decision as being frivolous or vexatious.

D. ESCALATION OF DISPUTE RESOLUTION

There are four levels of escalation for dispute resolution. The process begins at the level of the primary decision-maker. A schematic of the entire process is provided and described here:

1. Level 1 Disputes: A staff person has made a decision that is in dispute.
2. Level 2 Disputes: The Executive Director has made the decision, or the Executive Director is reviewing an unresolved Level 1 dispute.
3. Level 3 Disputes: The Board of Directors has made the decision, or the Board is reviewing a Level 2 dispute.
4. Level 4 Disputes: Where no other level has resolved the matter, a dispute is heard by a Dispute Resolution Tribunal (DRT), as described in the Association’s By-laws.
   a. The DRT will adopt appropriate and reasonable rules of procedure consonant with the matter before them, and shall use as their guide the quasi-judicial procedural rules set out by McMaster University.
b. The DRT will consider the issue and make a determination based on the Dispute Resolution Outcomes.

c. The DRT may also identify errors or inconsistencies in the Association’s by-law’s or policies and direct the Board to correct the issue.

5. The decision of the Tribunal is final and binding on the Association and all parties to the dispute; subject to judicial review.

E. EXPENSES INCURRED AT THE DISPUTANT’S COST

Any person making a dispute is fully responsible for any or all costs incurred by them to pursue the dispute.

APPROVED BY THE BOARD.

September 16, 2014

Jacqueline Arlen, President

David Moore, Secretary
DISPUTE RESOLUTION SCHEMATIC

1. Issue
2. Who owns issue?
   - Staff
   - Reconsider
3. Executive Director
   - Reconsider
   - Resolved?
4. Board of Directors
   - Reconsider
   - Resolved?
5. Dispute Resolution Tribunal
   - Reconsider
   - Resolved?

Level 1
Level 2
Level 3
Level 4

Issue Resolved