



Alternative Dispute Resolution Policy

1. PURPOSE

Ontario Equestrian (OE) is committed to resolving disputes in a fair, timely, and cost-effective manner, while preserving the integrity of relationships within the sport community. This Alternative Dispute Resolution (ADR) Policy provides a structured process through which Participants may seek to resolve eligible disputes through negotiation, facilitation, mediation, or other forms of consensual resolution, prior to or instead of engaging in formal disciplinary or appeal proceedings.

2. DEFINITIONS

The following terms have these meanings in this Policy:

- a) *ADR*: A collective term for processes such as negotiations, facilitation, mediation, or any other consensual dispute resolution mechanism that does not involve formal adjudication.
- b) *Days*: Total calendar Days, irrespective of weekends or holidays.
- c) *Complaint*: A formal submission in writing to OE setting out the alleged breach of OE rule or policy.
- d) *Complainant*: A Member submitting a Complaint.
- e) *Dispute*: A disagreement between two or more Participants concerning matters arising from their engagement in OE activities, excluding those expressly excluded in Section 3.
- f) *Facilitator/Mediator*: A neutral third-party individual appointed by OE or mutually agreed upon by the parties, trained in dispute resolution, who assists the parties in reaching a voluntary settlement.
- g) *Member*: All categories of membership within Ontario Equestrian, as well as individuals employed by or engaged in activities with Ontario Equestrian, including but not limited to, Athletes, Coaches, judges, Officials, volunteers, directors, officers, administrators, spectators and Parents/Guardians of OE Members.
- h) *Official*: An individual who has the responsibility to enforce the rules and maintain fair play during sport competitions or activities. This includes, but is not limited to, referees, judges, stewards, technical delegates, course designers, timers, scorers, and other individuals appointed to a regulatory or adjudicative role during an event or competition.
- i) *Parent/Guardian*: A birth or adoptive parent, legal guardian, or other person having responsibility for, or legal custody, of a minor.
- j) *Participant*: Any individual who participates in equestrian sport activities, including but not limited to, Coaches, Athletes, volunteers, Officials and other Members.

3. SCOPE AND APPLICATION

This Policy applies to disputes that arise between OE Members or Participants during or as a result of OE sanctioned activities, provided they do not involve matters subject to mandatory reporting obligations, such as child maltreatment or criminal conduct. It does not apply to disputes governed by other OE policies with mandatory formal resolution procedures, such as the Safe Sport Policy. Alleged breaches of OE's *Code of Conduct*, or *Discipline and Complaints Policy* may be referred to the ADR Policy process where appropriate, at the discretion of OE.

4. GUIDING PRINCIPLES

- ADR processes are voluntary, confidential, and without prejudice.

- All parties must act in good faith and engage in the process with a willingness to resolve the issue.
- The process should be timely, equitable, and accessible to all Participants.
- Participation in ADR does not limit the right to pursue a formal complaint, appeal, or legal remedy if resolution is not achieved.

5. INITIATING THE ADR PROCESS

- A Member or Participant may request ADR by submitting a written request to the OE Executive Director or designate.
- Requests must be submitted in writing to OE head office, or by email to complaints@ontarioequestrian.ca.
- The request should include:
 - a) Complainant's contact information, including full name, phone number and email, or the Complainants counsel or authorized representative;
 - b) Name(s) of Respondent(s) and any witnesses;
 - c) Date, location, and description of the Dispute;
 - d) Supporting evidence, including relevant facts, circumstances, documents, and parties involved;
 - e) A preferred resolution method.
- OE may also recommend ADR as a preliminary step before formal resolution processes are initiated.

6. APPOINTMENT OF NEUTRAL FACILITATOR OR MEDIATOR

- Upon acceptance of the request, OE will appoint or assist in identifying a neutral third party (Facilitator/Mediator) to facilitate the ADR process.
- The individual must have no conflict of interest and must maintain confidentiality throughout the process.

7. ADR PROCEDURE

- The Facilitator/Mediator will determine the method of ADR to be used (e.g., written submissions, in-person or virtual meetings).
- The process should commence within fourteen (14) Days of the Facilitator's appointment and conclude within thirty (30) Days unless otherwise agreed upon.
- If a resolution is achieved, the outcome will be documented in a written agreement signed by all parties.
- If no resolution is reached, the parties may proceed to formal dispute resolution mechanisms available under OE policies.

8. COSTS

- OE will bear the administrative costs of organizing the ADR process.

- Any third-party mediator fees will be shared equally by the parties unless otherwise agreed.
- Each party is responsible for their own legal or advisory costs.

9. CONFIDENTIALITY

- All information shared during ADR is confidential and may not be used in subsequent proceedings unless otherwise agreed in writing.
- The outcome of the ADR process shall remain confidential unless disclosure is required by law or mutually agreed upon.

10. RECORDS AND REPORTING

- No formal disciplinary record will be created unless the ADR process leads to a finding of misconduct or breach of policy.
- OE will retain anonymized records of ADR usage for internal review and policy improvement.

This Policy serves as a framework for resolving disputes using alternative mechanisms but does not cover every situation. If you are unclear about the requirements of this Policy, please contact the Executive Director at OE as follows:

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