



Dispute Resolution Policy

1. PURPOSE

This Policy establishes a structured, fair, and efficient mechanism through which disputes between members and Ontario Equestrian (OE) may be resolved. It applies only to matters within the jurisdiction of this Policy and is intended to promote procedural fairness and timely resolution in alignment with OE's values and governing documents.

2. DEFINITIONS

The following terms have these meanings in this Policy:

- a) *Affected Party*: Any OE Participant directly affected by the Dispute.
- b) *Committee of Inquiry*: A body composed of one (1) or three (3) committee Qualified Persons formed to investigate the merit of any complaints. This committee shall recommend whether the Dispute warrants a hearing and/or may investigate all relevant facts.
- 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) *Days*: Total calendar Days, irrespective of weekends or holidays.
- f) *Dispute*: An allegation, falling inside the jurisdiction of this Policy, that a Member of OE, or OE has breached a rule or policy of OE.
- g) *EC*: Equestrian Canada
- h) *Hearing Panel*: A panel formed by OE consisting of three Qualified Persons who will hear the Complaint and render a decision.
- i) *Participant*: Any individual who participates in equestrian sport activities, including but not limited to, coaches, athletes, volunteers, officials, and other members, as defined in the OE Code of Conduct Policy.
- j) *Respondent*: The OE Participant alleged to have breached an OE rule or policy.
- k) *Qualified Person*: An individual with relevant expertise in the horse industry, or other expertise such as a veterinarian, medical doctor or lawyer.

3. SCOPE AND APPLICATION

This policy applies to disputes involving OE Participant that:

- Involve an alleged breach of an OE rule or policy; and
- Are not otherwise excluded under this section.

This Policy does not apply to disputes:

- Governed by EC roles, where OE has applied the rules in accordance with EC policies and/or rules;
- Relating to team selection or athlete participation in an OE Team, or arising from OE Athlete Agreements, as these are governed by program-specific selection policies.
- Related to employment at OE, as these are governed by the OE Employee Handbook and applicable laws.
- Related to harassment and discrimination, as these are governed by the OE Anti-Harassment Policy.
- Related to matters primarily civil or commercial in nature, as these issues are governed by the policies, rules and laws of the appropriate legal, governing, or regulatory authorities.

- Where the applicable OE rule or policy is alleged to have been breached expressly precludes the application of this Policy.

4. REPORTING A COMPLAINT

- A Participant may file a Complaint, in writing, within 14 Days of the date on which the alleged breach of OE rule or policy occurred.
- Complaints must be submitted in writing to OE head office, or by email to complaints@ontarioequestrian.ca.
- Complaints submitted must contain the following:
 - a) Complainant's contact information or the Complainant's 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) Evidence that reasonable efforts were made to resolve the Dispute informally;
- Complaints regarding a Dispute shall be sent directly to the Chair of OE or their designate.

Frivolous, Vexatious, or Bad-Faith Complaints

No fee or deposit is required to submit a complaint under this Policy. OE is committed to ensuring accessible, fair, and timely resolution of complaints, and to removing financial barriers that may prevent individuals from raising legitimate concerns.

OE reserves the right to screen Complaints to determine whether they fall within the jurisdiction of OE, are submitted in accordance with this Policy, and are not trivial, frivolous, vexatious, or made in bad faith. A Complaint may be dismissed, in whole or in part, where it is determined that the complaint is frivolous, vexatious, abusive of process, or brought in bad faith.

Consequences

Where a complaint is found to have been submitted in bad faith, OE may:

- Impose sanctions in accordance with OE's *Discipline and Complaints Policy*; and/or
- Require the complainant to reimburse reasonable administrative or procedural costs incurred by OE.

Informal Resolution Requirements

Prior to filing a Complaint, the Complainant must demonstrate efforts to resolve the Dispute by:

- a) Contacting the Respondent via telephone or email to seek a mutually satisfactory resolution; or
- b) Demonstrating that resolution is impractical due to jurisdiction, bias, or conflict of interest.

Initial Review

Within fourteen (14) Days of receiving the Complaint, the OE Chair or their designate will determine:

- a) Whether the Complainant satisfied the informal resolution requirements as above; and
- b) Whether the Dispute falls within the scope of this Policy.

The decision is final and not subject to appeal.

5. ALTERNATIVE DISPUTE RESOLUTION

OE supports the principles of Alternative Dispute Resolution (ADR) mechanisms, including negotiation, facilitation, and mediation, as effective methods for resolving disputes. ADR reduces the uncertainty, cost, and negative impacts often associated with formal complaints, appeals, or litigation.

OE encourages Participants to engage in open communication and collaborative problem-solving when conflicts arise. Where possible, negotiated settlements are preferred over arbitrated or litigated outcomes.

OE strongly supports the resolution of disputes between and among Participants through ADR processes, provided that such resolutions are consistent with OE's policies, bylaws, and values. ADR may be pursued at any stage of a Dispute if all Parties agree that such a process would be mutually beneficial. Participation is voluntary and requires the consent of all Parties involved. ADR does not prevent or replace the use of formal complaint, discipline, or appeal procedures where required.

For more information on the ADR process, refer to OE's *Alternative Dispute Resolution Policy*.

6. INITIAL DETERMINATION

Upon confirmation that the conditions in the above sections have been satisfied, the OE Chair or designate will, within the same fourteen (14)-day period, determine whether:

- a) The Dispute does not warrant a hearing, and the Complaint is dismissed with grounds for dismissal;
- b) The Dispute warrants a hearing; or
- c) A Committee of Inquiry is required.

7. COMMITTEE OF INQUIRY

The purpose of the Committee of Inquiry is:

- a) To assist the OE Chair or designate in determining whether the Dispute warrants a hearing; and/or
- b) To investigate all relevant facts regarding the Dispute.

If appointed, the Committee of Inquiry will investigate the Complaint within thirty (30) Days and submit a confidential written report with findings and recommendations.

Committee of Inquiry members will be free from:

- a) Conflicts of interest;
- b) Involvement with the Dispute; and
- c) Any other actual or perceived bias or conflict.

8. CARRIAGE OF THE COMPLAINT

While the Complainant is typically responsible for presenting the Complaint, the OE Chair or designate may elect to take carriage of the matter in its sole discretion if:

- a) The Complaint involves governance or accountability concerns supported by credible evidence;
or
- b) The Complaint raises issues with broader impact on OE or its membership.

Should OE assume carriage, the decision may not be appealed, and the Complainant must cooperate and may be called as a witness at the hearing to resolve the Dispute.

9. HEARING PANEL

Within fourteen (14) Days of a decision to proceed to a hearing, the OE Chair or designate shall appoint a Hearing Panel consisting of three Qualified Persons, none of whom shall have any conflict of interest or previous involvement with the Dispute.

- The decision regarding the composition of the Hearing Panel shall be in the sole discretion of the OE Chair or their designate who must, in coming to their decision, ensure that the hearing process complies with the principles of natural justice and procedural fairness.

The Hearing Panel shall select from among themselves a chairperson and may be assisted by legal counsel at OE's expense.

10. PRELIMINARY CONFERENCE

The Hearing Panel may determine that the circumstances of the Complaint warrant a preliminary conference to address:

- a) The hearing format (oral, written, or hybrid);
- b) Document exchange timelines;
- c) Identification of issues, evidence, and witnesses;
- d) Procedural logistics; and
- e) Any other procedural matter which may assist in expediting the hearing.

The Hearing Panel may delegate to its chairperson the authority to deal with any of these preliminary matters.

11. HEARING PROCEDURES

Oral Hearing

Where the Hearing Panel has determined that the hearing shall be held by way of oral hearing (in-person or virtual):

- a) The hearing shall be commenced within 21 Days of the Hearing Panel's appointment;
- b) Parties involved shall be given at least ten (10) Days written notice of the date, time and location of the hearing, unless this requirement is waived in writing by all the parties;
- c) Parties shall receive the Committee of Inquiry report, if applicable;
- d) A quorum shall be all three Hearing Panel members;
- e) Decisions of the Hearing Panel shall be by majority vote, where the chairperson carries a vote;

- f) If a decision of the Panel could significantly affect another person that person shall, upon making a formal written request to the Panel that is accepted, become an Affected Party to the hearing in question and shall thereafter be allowed to participate in the hearing as would the Complainant and the Respondent;
- g) Each party may be accompanied by a representative or an advisor, including legal counsel, at their own cost and expense;
- h) The Hearing Panel may direct that any other person participates in the hearing.

Documentary Hearing

Where the Hearing Panel has determined that the hearing shall be held by way of documentary review, the Hearing Panel will provide all parties:

- a) Opportunity to review and respond to all reports, submissions, and evidence;
- b) Reasonable timelines for written rebuttal and final arguments; and
- c) Assurance that due process is followed.

12. EVIDENCE

The Hearing Panel shall consider any evidence that it deems relevant to the Dispute, including hearsay. Traditional rules of evidence in civil proceedings are not binding, but may guide the weight afford to each submission.

13. DECISION

Within fourteen (14) Days of concluding the hearing, the Hearing Panel shall issue a written, reasoned decision. The Hearing Panel may:

- a) Uphold or deny the Complaint, in full or in part;
- b) Impose sanctions, including suspension or financial penalties;
- c) Propose non-binding agreements.

Remedies must not override OE's governance documents or existing Policies.

Cost

The Hearing Panel may allocate hearing-related costs, excluding the legal fees and legal disbursements of any of the parties.

If the Complaint is upheld, the deposit shall be returned to the Complainant. If denied, the deposit is forfeited to OE.

Enforcement

Decisions of the Hearing Panel are final and binding. A copy of the full reasoned decision shall be provided to all parties participating in the hearing. Failure by any party to strictly comply with a decision and/or any remedy imposed by the Hearing Panel shall result in that party being designated a member *Not in Good Standing* as per OE's Bylaws, until such time as the decision and remedy are fully complied with.

The Hearing Panel may discover during the course of conducting the hearing, an area of concern to OE regarding potential future Disputes. Where the Panel has determined that a risk of additional Disputes

exists, the Hearing Panel will under separate cover from the decision, send correspondence to the Board of Directors identifying the concern and any recommended actions. The Hearing Panel's recommendations shall not be binding on OE Board of Directors.

14. TIMELINES SUMMARY

If the circumstances of the Complaint are such that this Policy will not allow a timely resolution of the Dispute, or if the circumstances of the Complaint are such that the Dispute cannot be resolved within the timelines dictated in this policy, the Panel may direct that these timelines be revised.

| Action | Deadline |
|---------------------------|--|
| Complaint Submission | Within twenty-one (21) Days from the date on which the alleged breach occurred. |
| Initial OE Review | Within five (5) Days of Complaint and summary receipt. |
| Hearing Panel Appointment | Within fourteen (14) Days (if applicable). |
| Hearing Convened | Within twenty-one (21) Days of Hearing Panel appointment. |
| Written Notice to Parties | At least ten (10) Days prior to hearing. |
| Written Decision | Within fourteen (14) Days of hearing conclusion. |

15. CONFIDENTIALITY

All proceedings under this Policy are confidential and will be conducted in private with only proper parties and the Hearing Panel in attendance. Only final decisions and outcomes will be published, in the form of a summary, including:

- a) Names of Hearing Panel Members;
- b) Names of the parties involved;
- c) Rule/policies which have been breached;
- d) Summary of findings; and
- e) Sanctions or remedies imposed, if applicable.

The summary will be posted on OE's website where it can be viewed by the public for at least three (3) months after the Hearing Panel renders its decision.

15. HEARING LOCATION

Hearings shall take place in the location most convenient to the Respondent, unless otherwise determined by the Hearing Panel. This decision is final and not subject to appeal.

16. PENALTIES AND SUSPENSION

The Hearing Panel must ensure that the penalties and suspensions imposed are meaningful and proportionate to the conduct complained of and proven to have occurred.

This Policy serves as a framework for dispute resolution 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:

Ontario Equestrian

320 Harry Walker Parkway North

Unit 2

Newmarket, ON L3Y 7B8

905.709.6545

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