



# VELO NB

## Dispute Resolution and Mediator Policy

### **Purpose**

1. The Organization and its Members support the principles of Alternate Dispute Resolution (ADR) and are committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes. ADR also avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.
2. The Organization and its Members encourage all Individuals to communicate openly, and to collaborate and use problem-solving and negotiation techniques to resolve their differences. The Organization and its Members believe that negotiated settlements are most often preferable to arbitrated outcomes. Negotiated resolutions to disputes with and among Individuals are strongly encouraged.

### **Application of this Policy**

3. This Policy applies to all Individuals.
4. Opportunities for ADR 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**

5. If all parties to a dispute agree to ADR, a mediator or facilitator, acceptable to all parties, shall be appointed to mediate or facilitate the dispute.
6. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated and may, if they consider it appropriate, specify a deadline before which the parties must reach a negotiated decision.
7. Should a negotiated settlement be reached, the settlement shall be reported to the Organization or the Member (as applicable). Any actions that are to take place as a result of the decision shall be enacted on the timelines specified by the negotiated decision, pending approval of the Organization or the Member (as applicable).
8. Should a negotiated settlement not be reached by the deadline specified by the mediator or facilitator at the start of the process (if set), or if the parties to the dispute do not agree to ADR, the dispute shall be considered under the appropriate section of the *Complaints and Discipline Policy* or *Appeal Policy*, as applicable.

### **Final and Binding**

9. Any negotiated settlement will be binding on the parties. Negotiated settlements may not be appealed.