

Sport Dispute Resolution Centre of Canada

Corporate Plan for the 2005-2006 Period

March 1, 2005

Table of Contents

Introduction	03
The Canadian Sport Policy	03
Mission Statement	03
Executive Summary	04
Major Objectives and Initiatives	04
Background and Governance	05
SDRCC Governing Legislation	05
Organizational Structure	05
Multi-year Strategy and Objectives for 2005-2006	08
Long Term Objectives 2004-2007	08
Objectives and Planned Initiatives for 2005-2006	09
Budget 2005-2006	11

Introduction

THE CANADIAN SPORT POLICY

The Canadian Sport Policy identifies four substantive goals: enhanced participation, enhanced excellence, enhanced capacity, and enhanced interaction.

Enhanced participation and enhanced excellence target the expansion of the capacity of individuals, communities, and institutions, as well as the financial and material resources that comprise Canada's sport system.

Enhanced capacity focuses on ensuring that the essential components of an ethically based, athlete/participant-centred development system are in place and are being continually modernized and strengthened as required.

The Canadian Sport Policy focuses government efforts on identifying and strengthening the weak links in the Canadian sport system at the national, provincial/territorial and community levels in order to maximize its effectiveness.

An Act to Promote Physical Activity and Sport S.C. 2003 C-2 (the "Act") received Royal Assent on March 19, 2003. The Act sets out the Government's policy on sport as including the fair, equitable, transparent and timely resolution of disputes in sport. The Act provided for the creation of the SDRCC. The SDRCC opened on April 1, 2004, and moved into its head office in Laval, Quebec on November 1, 2004.

MISSION STATEMENT

In keeping with the goals of the Canadian Sport Policy and in accordance with the Act, the mission of the SDRCC is to provide the sport community with a national service for the prevention and resolution of sport disputes as well as expertise and assistance regarding alternative dispute resolution.

EXECUTIVE SUMMARY

Preparation of the current corporate plan has been bolstered by a year of achievement and change in 2004-2005. In addition, the solid foundation laid during the interim program (managed by the CCES) has allowed the SDRCC to now stand fully on its own.

In 2004-2005, the SDRCC opened its head office in Laval, Quebec. It also hired its team: Benoit Girardin, Executive Director, Julie Duranceau, Resolution Facilitator and Coordinator, Resource Centre, and Julie Audette, Office Manager and Executive Assistant.

The SDRCC's initial year of operation was marked by the 2004 Olympic and Paralympic Games and its first doping cases. The SDRCC also completed its transition from the interim ADRsportRED program to the SDRCC.

The SDRCC's Resource Centre increased its impact on numerous national and provincial events. For example, the SDRCC developed a Web site, which offers targeted educational information on ways to prevent and resolve sport-related disputes.

In addition, the SDRCC named 26 experienced arbitrators to render decisions and mediators to assist parties in settling their disputes. These experts participated in a training session on doping offered at the office of the World Anti-Doping Agency.

Finally, in order to improve its services and programs, the SDRCC conducted an independent assessment and survey to obtain feedback from the sport community. The SDRCC is committed to improving its rules and procedures in order to ensure that the sport dispute resolution process is completely fair and equitable.

It is against this backdrop that the SDRCC has prepared its corporate plan for 2005-2006.

MAJOR OBJECTIVES AND INITIATIVES

The SDRCC's priorities for the 2005-2006 fiscal year include: implementing the services of a resolution facilitator responsible for providing early and initial assistance to parties in the resolution of their dispute; improving the rules of procedures to better serve the needs of the sport community; enhancing interaction with the members of the Canadian sport community; and educating the sport community about alternatives of interest and best practices aimed at creating a culture of fairness.

Background and Governance

SDRCC GOVERNING LEGISLATION

The Act establishes the SDRCC as a not-for-profit corporation and outlines its structure, mission, powers and rules of operation. Given the intention to make the SDRCC an arm's length entity of government, the legislation explicitly states that the SDRCC is not an agent of Her Majesty, a departmental corporation or a Crown corporation.

ORGANIZATIONAL STRUCTURE

The Act specifies that the SDRCC shall be composed of a Dispute Resolution Secretariat ("Secretariat") and a Resource Centre, but leaves it to the SDRCC to define its mandate, duties and functions to ensure that it is responsive to the evolving needs of the sport community in order to better enhance capacity in the Canadian sport community.

Pursuant to the Act, the affairs and business of the SDRCC are managed by a Board of Directors consisting of the Executive Director of the SDRCC, who is an ex officio director, and 12 other directors. In December 2003, the Minister appointed the directors in accordance with guidelines established by the Minister in consultation with the sport community. These guidelines provided for a Board comprised of men and women who: (a) are committed to the promotion and development of sport; (b) have the experience and capability to enable the SDRCC to achieve its objectives; (c) are representative of the sport community; and (d) are representative of the diversity and linguistic duality of Canadian society.

The Executive Director is the SDRCC's Chief Executive Officer. This full-time CEO is charged with the fulfillment of the objectives and mission of the SDRCC, including spearheading the projects, programs, and services offered by the SDRCC and overseeing their successful delivery across Canada. The CEO and staff coordinate activities and projects to further the objectives of the SDRCC and provide the mandated services for the SDRCC's stakeholders.

The Dispute Secretariat and the Resource Centre are managed internally by the staff of the SDRCC.

The Board reviews and revises as necessary the management of both the Secretariat and the Resource Centre during the course of the fiscal year in order to best serve the needs of the sport community.

The members of the Board of Directors are:

- > Genevieve Chornenki
- > Susanne Dandenault
- > Christian Farstad
- > Pierre Hutsebaut
- > Bruce Kidd
- > Dianne Norman
- > Gordon Peterson
- > Tamar Pichette
- > Allan J. Stitt (Chairperson of the Board of Directors)
- > Steven Sugar
- > Benoit Girardin (ex-officio, appointed by the Board of Directors)

In January 2004, Allan J. Stitt was appointed Chairperson of the Board of Directors by the Minister on the recommendation of the Board.

During the 2004-2005 fiscal year, Marc Lemay and Julie Gagnon resigned from the Board of Directors. No other directors were appointed to replace them during that period.

The staff members at the SDRCC are as follows:

- > Benoit Girardin, Chief Executive Officer
- > Julie Duranceau, Resolution Facilitator and Resource Centre Coordinator
- > Julie Audette, Office Manager and Executive Assistant
- > Danielle Comeau (consultant): Bookkeeper

BDO Dunwoody, Chartered Accountants, were appointed by the Board of Directors as the independent auditor.

The Arbitrators and Mediators by province are as follows:

Nova Scotia

Peter J. Mackeigan
The Honourable Stewart McInnes

Quebec

Bernard A. Roy
Patrice M. Brunet
Stephen L. Drymer
Jean-Guy Clément
The Honourable Marc Lalonde
The Honourable Paule Gauthier
The Honourable Benjamin J. Greenberg
Richard W. Pound
L. Yves Fortier

Ontario

Michel G. Picher
Graeme Mew
Ed Ratushny
The Honourable John Watson Brooke
Jane H. Devlin
Ross C. Dumoulin
Richard H. McLaren

Manitoba

James W. Hedley

Alberta

Dale H. Styner
David C. Elliott
John Harrison Welbourn
William J. Warren

British Columbia

Tricia C. M. Smith
John P. Sanderson

Richard H. McLaren and L. Yves Fortier act as Co-Chief Arbitrators to oversee and supervise the affairs related to the application of the Code of procedures of the SDRCC.

Multi-year Strategy and Objectives for 2005-2006

LONG TERM OBJECTIVES 2004-2007

The SDRCC's long-term (3-year) strategies are based on the objectives of the Canadian Sport Policy: **participation, excellence, capacity and enhanced interaction in sport**, as well as the SDRCC's mission to provide a national alternative resolution service for sport disputes.

a) Excellence and Expertise

Enhance excellence in the Canadian sport system by strengthening the culture of fairness and by providing outstanding mediation and arbitration services in the resolution of sport disputes.

b) Participation

Enhance the accessibility and inclusiveness of the Canadian sport system by strengthening the capacity of leaders and decision makers to make fair and impartial decisions and by providing ADR services and SDRCC' resources across Canada in both official languages.

c) Resources

Strengthen the capacity of our leaders and participants to understand and make decisions, deal with disputes, and create a culture of fairness by developing within the SDRCC the service and resource structure required to offer an optimal national alternative sport dispute resolution service to the sport community.

d) Enhanced Interaction

Enhance and create a culture of fairness by developing, establishing and maintaining harmonious relationships with members of the sport community.

e) Sound, Effective Management

Operate and administer a balanced, effective, transparent organization that demonstrates leadership in its respect for governance, management and human values.

OBJECTIVES AND PLANNED INITIATIVES FOR 2005-2006

Current Performance

In 2004-2005, SDRCC handled over 50 disputes (as of March 1, 2005) in matters such as team selection, athlete carding, disciplinary and anti-doping issues. The SDRCC offered more than 15 workshops to better educate the sport community about ADR. The SDRCC also revised its Code and rules and performed a quality assessment of its services and the level of satisfaction of users. In addition, the SDRCC trained arbitrators and mediators on doping matters. Finally the SDRCC opened its head office, hired its full time personnel and successfully transitioned from the interim program managed by the CCES to the SDRCC.

Projected Performance for 2005-2006

With upcoming games such as the 2005 Canada Games in Regina, the 2006 Olympic and Paralympic Games in Torino, and the 2006 Commonwealth Games in Melbourne, as well as the increase of doping issues following the inclusion of new banned substances to the prohibited list of WADA, the projected annual caseload for the SDRCC is 70+ cases for 2005-2006.

Moreover, the SDRCC will primarily focus on implementing the services of the Resolution Facilitator, who will be responsible to initially assist parties in the resolution of their disputes and improving its Code of procedure in accordance with comments and suggestions received from the sport community. The SDRCC will also educate and train its arbitrators and mediators, and will revise the list of neutrals as required.

The objective of the Resource Centre is to prevent disputes and permit NSOs to handle those that cannot be prevented by building capacity within the NSO itself. The Resource Centre consists of a national repository of dispute resolution decisions, other resources to educate the sports community with respect to dispute resolution, and best practices in the sports field. To foster a fair, open and positive environment, the Resource Centre will prepare guides and offer workshops that focus on pertinent services and techniques. The intention is for the Resource Centre to be proactive in the development of sound policies as well as fair and effective dispute resolution mechanisms through educational campaigns, training and other initiatives.

Clientele

The Sport Canada accountability framework requires all NSOs and MSOs to have an internal dispute resolution mechanism. Furthermore, if not resolved internally, disputes with respect to national team athletes and coaches must be administered by the SDRCC.

The services rendered by the SDRCC may additionally be offered for other matters on a consensual basis. All national sport organizations and anyone affiliated with a national sport organization, including its members, may agree to refer a dispute to the SDRCC and benefit from the SDRCC's services, provided they meet the admissibility criteria adopted by the SDRCC.

Where other sport organizations and their members request access to the SDRCC's services, the Board may, under certain conditions, grant access to the SDRCC.

Objectives 2005-2006

> **Enhance excellence in sport by improving the sport system through the prevention or reduction of sports related disputes, thus creating a culture of fairness in Canada.**

- Initiatives:
- Implement the services of the Resolution Facilitator and promote interest-based services and techniques
 - Adopt a new Code of procedure based on feedback and suggestions received from the sport community
 - Review the list of mediators and arbitrators to make changes to the roster, as necessary

> **Strengthen the capacity of our sport community leaders and participants by creating a positive culture of fairness.**

- Initiatives:
- Implement a partnership and education plan that uses presentations, publications and other means to educate the SDRCC's members, NSOs, PTSOs and the general public about ADR. More specifically, develop content on mediation and arbitration and on creating a culture of fairness

> **Operate and manage an organization promoting excellence and transparency.**

- Initiatives:
- Develop and implement transparent management and governance policies
 - Manage all sport-related disputes in a fair and efficient manner
 - Ensure that SDRCC policies comply with the Act, its by-laws and agreements

Budget 2005-2006

The total proposed budget for this period is **\$1 308.750** broken down as follows:

ADMINISTRATION		276 000.00
Office		107 000.00
Professional services		75 000.00
Governance (BOD and Committees)		94 000.00
OFFICIAL LANGUAGES		64 200.00
Translation of decisions		37 450.00
Translation of general documentation		26 750.00
OPERATIONS and PROGRAMMING		667 628.00
Administration of cases		457 425.00
Training for Mediators and Arbitrators		52 378.00
Resource Centre and prevention		157 825.00
HUMAN RESOURCES		300 922.00
Salaries		238 542.00
Benefit and wellness plan		12 305.00
Provision for parental leaves		26 000.00
Memberships and Training		16 050.00
Travel expenses		8 025.00
TOTAL EXPENSES		1 308 750.00
REVENUES		8 750.00
FUNDING APPLICATION TO SPORT CANADA		1 300 000.00
FUNDING BLOCKS		
Administration:	(21%)	276 000.00
Official Languages:	(5%)	64 200.00
Operations and Programming:	(51%)	667 628.00
Human Resources:	(23%)	300 992.00