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SDRCC

Reaching Out to ALL Levels of Canadian Sport

The last contribution of the SDRCC to *Coaches PLAN du coach*¹ mentioned options available to coaches as members of NSOs. Since the SDRCC is mandated by the federal government to provide prevention and resolution services to all participants in the Canadian sport system, it is authorized to hear, free of charge², disputes arising from decisions made by NSOs and MSOs regarding their national team programs. It is not only at the national level of sport however, that disputes arise. Experience has shown that access to affordable alternative dispute resolution (ADR) services is limited, for example, at club and provincial levels of sport; however based on inquiries received by the SDRCC, there is not only an interest for these services but a clear need for them. In order to help create a Canadian sport environment that is fair and just for all, the SDRCC has launched a “Fee-for-Service” program whereby affordable dispute resolution services as well as dispute prevention and education services and made easily accessible to ALL members of the Canadian sport community. Members of Coaches of Canada operate at various levels of the sport system, including provincial, club, college or university, and therefore should know that SDRCC services can also be accessed to prevent and resolve sports-related disputes other than those arising from national team programs.

Dispute Prevention

The dispute prevention services that the SDRCC offers focus on providing tools and guidance to help avoid disputes or resolve minor disputes quickly and informally. This is done through publications and interactive seminars, both of which are available to all members of the sport community at a reasonable cost. Publications on various topics ranging from team selection and carding, to model appeal policies, contract templates and resources on good governance are made accessible free of charge via the SDRCC website; printed copies can also be ordered for a nominal cost-recovery fee.

Among the most popular services provided by the SDRCC are the dispute prevention and education workshops³, as the content can be tailored to the specific needs of the audience (coaches, administrators, athletes, etc.) Through the use of role play activities, as well as interactive scenario analysis and discussion of real cases, workshop participants are encouraged to learn actively as well as to draw lessons learned from the experiences of others.

Dispute Resolution

Dispute resolution services, such as arbitration and mediation, generally cost significantly less than formal court processes; however the cost of such services in the private ADR sector can still

be overwhelming for sport organizations and their members. Through its Fee-for-Service program, the SDRCC is able to provide its services at a reduced cost with its use of online tools (e.g. case management portal and web conferencing), by providing access to *pro bono* representation, and through competitive professional fees of its roster of mediators and arbitrators. The advantages of ADR services offered by the SDRCC go well beyond cost savings alone: for example, a unique benefit is quicker and easier access to professional experts in the field, often significantly reducing the time for dispute resolution. All services are also offered in both official languages. Furthermore, the support provided during the mediation or arbitration processes is from individuals (both SDRCC staff and mediators/arbitrators) who are aware of the complexities and realities of sport in Canada, a true advantage compared to other service providers.

In order to contain costs to the parties in the provision of its ADR services, the SDRCC has tailored its Fee-for-Service programs to offer time-limited processes. This allows the parties entering into such a mediation or arbitration agreement to know in advance how much the services will cost them. The mediation service includes a flat-fee⁴, 3-hr time-limited mediation while the arbitration service includes a flat-fee⁴, 1-day time-limited arbitration with mandatory 1-hr resolution facilitation included. For more complex issues and based on case needs and parties' preference, an extended arbitration package is also available on a daily-fee basis with mandatory 3-hr resolution facilitation included.

The SDRCC believes it is important for all members of the Canadian sport community (clubs, provincial sport organizations, colleges, universities, and associated members) to be aware that they do have an option to settle their disputes outside of the courts, and that there is information and options available on how to do so at a reasonable cost. To learn more on how the SDRCC can help you prevent and resolve disputes or for more information on its "Fee-for-Service" program please visit www.crdsc-sdrcc.ca or call 1-866-733-7767. ✓

- 1 "Alternative Dispute Resolution Choices for Canadian Coaches", *Coaches PLAN du coach*, Vol. 18, No 1 (Spring 2011).
- 2 The SDRCC's operating budget is funded 100% by Sport Canada and is therefore restricted by the conditions stated in the funding agreement.
- 3 Honoraria and travel expenses may apply. Contact the SDRCC for further information.
- 4 Flat fee includes staff time, mediator/resolution facilitator/arbitrator fees as well as conference call/web meeting fees; the proceedings can be extended at a fixed hourly fee; fees do not include mediator/arbitrator travel expenses for in-person sessions.

