



Policy Name: Discipline & Complaints

Date Approved: July 28, 2025

Next Review Date: April 2026

DEFINITIONS

1. The following terms have these meanings in this Policy:

- (a) *"Discipline Committee"* – The Discipline Committee will be established by Northern Ontario Curling Association. The Discipline Committee can be made up of one to three individuals. The Discipline Committee will receive the findings of the Case Manager and apply sanctions as required by this policy.
- (b) *"Case Manager"* – An independent third-party individual or organization appointed by Northern Ontario Curling Association to administer certain complaints under the *Discipline and Complaints Policy*.
- (c) *"Individuals"* – all individuals employed by, or engaged in activities with Northern Ontario Curling Association including, but not limited to, athletes, coaches, convenors, officials, volunteers, managers, administrators, committee members, Directors and Officers of Northern Ontario Curling Association, spectators at events, and parents/guardians of athletes.
- (d) *"Respondent"* – The Party responding to the complaint
- (e) *"Complainant"* - An individual or observer who makes a report of an incident of Maltreatment or suspicions of an incident of Maltreatment, or lack of compliance with Northern Ontario Curling Association's policies, Bylaws, rules and regulations, and *Code of Conduct and Ethics*.

PURPOSE

- 2. Individuals are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with Northern Ontario Curling Association's policies, Bylaws, rules and regulations, and *Code of Conduct and Ethics*. Non-compliance may result in sanctions pursuant to this Policy.

APPLICATION OF THIS POLICY

3. This Policy applies to all Individuals.
4. This Policy applies to matters that may arise during Northern Ontario Curling Association's business, activities, and events.
5. This Policy also applies to Individuals' conduct outside of Northern Ontario Curling Association's business, activities, and events when such conduct adversely affects relationships within Northern Ontario Curling Association (and its work and sport environment), is detrimental to the image and reputation of Northern Ontario Curling Association, or upon the acceptance of Northern Ontario Curling Association. Applicability will be determined by Northern Ontario Curling Association at its sole discretion.
6. This Policy does not prevent immediate discipline or sanction from being applied as reasonably required. Further discipline may be applied according to this Policy. Any infractions or complaints occurring within competition will be dealt with by the procedures specific to the competition, if applicable. In such situations, disciplinary sanctions will be for the duration of the competition, training, activity, or event only.
7. An employee of Northern Ontario Curling Association who is a Respondent will be subject to appropriate disciplinary action in accordance with any of Northern Ontario Curling Association's applicable policies, as well as the employee's Employment Agreement, if applicable. Violations may result in a warning, reprimand, restrictions, suspension, or other disciplinary actions up to and including termination of employment.

ALIGNMENT

8. Northern Ontario Curling Association recognizes that Individuals may also be registered with Member Associations and/or Member Clubs. **Ontario Curling Council requires that Member Associations and/or Member Clubs submit discipline decisions involving Individuals to Ontario Curling Council.** Ontario Curling Council may, at its sole discretion, conduct its own review or take further action on the discipline sanctioned on the Individual.

ADULT REPRESENTATIVE

9. Complaints may be brought for or against an Individual who is a minor. Minors must have a parent/guardian or other adult serve as their representative during this process.
10. Communication from the Discipline Committee or Case Manager, as applicable, must be directed to the minor's representative.

11. A minor is not required to attend an oral hearing, if held.

TRIAGING PROCESS

12. Any Individual may report an incident or complaint to the Case Manager in writing, within fourteen (14) calendar days of the alleged incident, although this timeline can be waived or extended at the Case Manager's discretion. At the time of the written complaint, the Complainant must submit (but not limited to) the following:

- (a) the event and/or location in which the incident (s) occurred (confirming the complaint is within appropriate jurisdiction/sanctioned event of Northern Ontario Curling Association)
- (b) detailed description of what occurred
- (c) list of names of those involved directly in the incident
- (d) supporting evidence of the claim
- (e) list of witnesses with their approval and contact information

13. Northern Ontario Curling Association may, in its sole discretion, act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, Northern Ontario Curling Association will identify an individual representative of the organization.

14. Upon receiving a report of an incident or a complaint, the Case Manager may, at their sole discretion and depending on the nature of the issue:

- (a) Deny the complaint as the allegations are not within the jurisdiction of Northern Ontario Curling Association and/or the scope of this policy.
- (b) Accept the complaint and refer the complaint to the Discipline Committee, who will be responsible for following process #1, or, alternatively, follow process #2.
- (c) Propose Alternative Dispute Resolution
- (d) The Case Manager's decision to accept or deny a complaint is not subject to appeal.
- (e) The Case Manager's decision to follow Process #1 or #2 is not subject to appeal.

15. When determining whether to refer to the Discipline Committee or to follow Process #2 the Case Manager has the discretion to choose which process should be followed, and may use the following examples as a general guideline:

(a) **Process #1** - the Complaint alleges the following incidents:

- (i) Disrespectful, abusive, racist, or sexist comments or behaviour
- (ii) Disrespectful conduct
- (iii) Minor incidents of violence (e.g., tripping, pushing, elbowing)
- (iv) Conduct contrary to the values of Northern Ontario Curling Association
- (v) Non-compliance with Northern Ontario Curling Association's policies, procedures, rules, or regulations.
- (vi) Minor violations of Northern Ontario Curling Association's *Code of Conduct and Ethics*

(b) **Process #2** - the Complaint alleges the following incidents:

- (i) Repeated minor incidents
- (ii) Any incident of hazing
- (iii) Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
- (iv) Major incidents of violence (e.g., fighting, attacking, sucker punching)
- (v) Pranks, jokes, or other activities that endanger the safety of others
- (vi) Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
- (vii) Conduct that intentionally damages Northern Ontario Curling Association's image, credibility, or reputation
- (viii) Consistent disregard for Northern Ontario Curling Association's bylaws, policies, rules, and regulations
- (ix) Major or repeated violations of Northern Ontario Curling Association's Code of Conduct and Ethics
- (x) Intentionally damaging Northern Ontario Curling Association's property or improperly handling Northern Ontario Curling Association's monies
- (xi) Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and narcotics

- (xii) A conviction for any major violations of the Criminal Code
- (xiii) Any possession or use of banned performance enhancing drugs or methods

16. The Discipline Committee or Case Manager (as applicable), may determine that the alleged incident may require additional expertise to investigate the complaint, which may be beyond the scope of the Case Manager's responsibilities. In this case, the Discipline Committee or Case Manager may appoint an Investigator in accordance with Northern Ontario Curling Association's *Investigations Policy* - and Northern Ontario Curling Association, and the Investigator, will have additional responsibilities as described in that Policy.

PROCESS #1 PROCEDURE:

HANDLED BY DISCIPLINE COMMITTEE

Sanctions

17. Following the determination that the complaint or incident should be handled under Process #1, the Discipline Committee will review the report from the Case Manager (which will include rationale for following Process #1 and any supplementary evidence submitted with the complaint) related to the complaint or incident and determine one or more of the following sanctions:
- (a) Verbal or written reprimand
 - (b) Verbal or written apology
 - (c) Service or other contribution to Northern Ontario Curling Association
 - (d) Removal of certain privileges
 - (e) Suspension from certain teams, events, and/or activities
 - (f) Suspension from all or some of Northern Ontario Curling Association's activities for a designated period
 - (g) Any other sanction considered appropriate for the offense
18. The Discipline Committee will inform the Respondent of the sanction, which will take effect immediately.

19. Records of all sanctions will be maintained by Northern Ontario Curling Association

PROCESS #2 PROCEDURE:

HANDLED BY CASE MANAGER

Case Manager

20. Following the determination that the complaint or incident should be handled under Process #2, the Case Manager will oversee management and administration of the complaint or incident. The Case Manager should not be in a conflict of interest and should have expertise in dispute resolution matters. Such appointment is not appealable.
21. The Claimant and Respondent will each be entitled to one, half hour preliminary session to understand the process and ask any clarifying questions. This does not include any time required with the parties as part of the process the Case Manager will determine, based on the case itself.
22. The Case Manager has a responsibility to:
 - (a) Propose the use of Northern Ontario Curling Association's Dispute Resolution Policy
 - (b) Coordinate all administrative aspects and set timelines
 - (c) Determine if the complaint is:
 - (d) Frivolous or outside the jurisdiction of this Policy, the complaint will be dismissed immediately
 - (e) Not frivolous and within the jurisdiction of this Policy, the Case Manager will notify the Parties that the complaint is accepted and of the applicable next steps

Note: The Case Manager's decision to accept or dismiss the complaint may not be appealed.
23. The Case Manager will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion.
24. If the Complaint is deemed admissible, the Case Manager will make a preliminary assessment of the allegation and determine the appropriate course of action to be taken.

25. The Case Manager will determine if the complaint falls within Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, Abuse and Maltreatment and if an Investigation is required to resolve the complaint.
26. The Case Manager will then decide the format under which the complaint will be heard. This decision may not be appealed. The format of the hearing may be an oral in-person hearing, written communication accompanied by any supporting material (submitted at time of complaint), an oral hearing by telephone or other communication medium, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Case Manager deem appropriate in the circumstances, provided that:
 - (a) The Parties will be given appropriate notice of the day, time, and place of the hearing, in the case of an oral in-person hearing or an oral hearing by telephone or other communication medium
 - (b) Copies of any written documents which the parties wish to have the Case Manager consider will be provided to all Parties, through the Case Manager, in advance of the hearing
 - (c) The Parties may engage a representative, advisor, or legal counsel at their own expense
 - (d) The Case Manager or Discipline Committee may request that any other individual participate and give evidence at the hearing
 - (e) The Case Manager may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the complaint, but may exclude such evidence that is unduly repetitious, and shall place such weight on the evidence as it deems appropriate
 - (f) The Case Manager will review the submissions by the parties, the Investigator's report (when Investigation Policy is implemented), and compile a report to the Discipline Committee, taking into consideration all the information made available by all parties, including information discovered in the course of an external investigation that may have taken place.
 - (g) The decision and any sanctions will be made by a majority vote of the Discipline

Committee

27. If the Respondent acknowledges the facts of the incident, the Respondent may waive the hearing, in which case the Discipline Committee will determine the appropriate sanction. The Discipline Committee may still request a hearing for the purpose of determining an appropriate sanction.
28. The hearing will proceed in any event, even if a Party chooses not to participate in the hearing.
29. If a decision may affect another party to the extent that the other party would have recourse to a complaint or an appeal in their own right, that party will become a Party to the current complaint and will be bound by the decision.
30. In fulfilling its duties, the Case Manager or Discipline Committee may obtain independent advice.

Decision

31. After hearing and/or reviewing the report from the Case Manager, which will determine whether an infraction has occurred and, if so, the Discipline Committee will determine if sanctions are to be imposed. Within fourteen (14) calendar days of the hearing's conclusion, the Discipline Committee's written decision, with reasons, will be distributed to all Parties, the Case Manager. In extraordinary circumstances, the Discipline Committee may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued before the end of the fourteen (14) day period. The decision will be considered a matter of public record unless decided otherwise by the Discipline Committee.

Sanctions

32. The Discipline Committee may apply the following disciplinary sanctions, singularly or in combination:
 - (a) Verbal or written reprimand
 - (b) Verbal or written apology
 - (c) Service or other contribution to Northern Ontario Curling Association
 - (d) Removal of certain privileges

- (e) Suspension from certain teams, events, and/or activities
 - (f) Suspension from all or some of Northern Ontario Curling Association's activities for a designated period
 - (g) Payment of the cost of repairs for property damage
 - (h) Suspension of funding from Northern Ontario Curling Association or from other sources
 - (i) Expulsion from Northern Ontario Curling Association
 - (j) Any other sanction considered appropriate for the offense
33. Unless the Discipline Committee decides otherwise, any disciplinary sanctions will begin immediately, notwithstanding an appeal. Failure to comply with a sanction as determined by the Discipline Committee will result in an automatic suspension until such time as compliance occurs.
34. Records of all decisions will be maintained by Northern Ontario Curling Association

Appeals

35. The decision of the Discipline Committee may be appealed in accordance with Northern Ontario Curling Association's *Appeal Policy*.

SUSPENSION PENDING A HEARING

36. The Executive Director may, at their sole discretion, determine that an alleged incident is of such seriousness as to warrant immediate suspension of an Individual pending completion of a criminal process, complaint management, the hearing, or a decision of the Discipline Committee.

CRIMINAL CONVICTIONS

37. An Individual's conviction for a major violation(s) of the Criminal Code offense shall be deemed an infraction under this Policy and may result in expulsion from Northern Ontario Curling Association. Major *Criminal Code* offences may include, but are not limited to:
- (a) Any child pornography offences
 - (b) Any sexual offences

- (c) Any offence of physical violence
- (d) Any offence of assault
- (e) Any offence involving trafficking of illegal drugs

CONFIDENTIALITY

38. The discipline and complaints process is confidential and involves only the Parties, the Case Manager, the Discipline Committee, and any independent advisors to the Discipline Committee. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.

TIMELINES

39. If the circumstances of the complaint are such that adhering to the timelines outlined by this policy will not allow a timely resolution to the complaint, the Discipline Committee may direct that these timelines be revised.

RECORDS AND DISTRIBUTION OF DECISIONS

40. Other individuals or organizations, including but not limited to, national sport organizations, provincial sport organizations, sport clubs, etc., may be advised of any decisions rendered in accordance with this Policy, as determined by the Discipline Committee.



Policy Name: Investigations

Date Approved: July 28, 2025

Next Review Date: April 2026

DEFINITIONS

1. The following terms have these meanings in this Policy:

- a) *"Discipline Committee"* – The Discipline Committee will be established by the Northern Ontario Curling Association. The Discipline Committee can be made up of one to three individuals.
- b) *"Case Manager"* – Independent third-party individual or organization appointed by Northern Ontario Curling Association to administer certain complaints under the *Discipline and Complaints Policy*. The Case Manager does not need to be a member of or affiliated with Northern Ontario Curling Association.
- c) *"Individuals"* – all individuals employed by, or engaged in activities with Northern Ontario Curling Association including, but not limited to, athletes, coaches, convenors, officials, volunteers, managers, administrators, committee members, Directors and Officers of Northern Ontario Curling Association, spectators at events, and parents/guardians of athletes

2. The following terms have the meanings as defined in Northern Ontario Curling Association's *Code of Conduct and Ethics*:

- a) Harassment
- b) Discrimination
- c) Workplace Harassment

d) Sexual Harassment

e) Workplace Violence

f) Abuse

PURPOSE

3. Northern Ontario Curling Association is committed to eliminating all instances of Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, Abuse and Maltreatment within its operations and activities. This Policy describes how Individuals can report instances of Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, Abuse and Maltreatment and how Northern Ontario Curling Association will investigate those reports.

DETERMINATION AND DISCLOSURE

4. When a complaint is submitted in accordance with Northern Ontario Curling Council's *Discipline and Complaints Policy*, the Case Manager will determine if such complaint is related to an instance of Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, Abuse or Maltreatment.
5. Northern Ontario Curling Association will adhere to all disclosure and reporting responsibilities required by any government entity, local police force, or child protection agency.

INVESTIGATION

6. Complaints that are determined to contain an element of Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, Abuse and Maltreatment, the complaint will continue to be addressed by the process(es) described in the *Discipline and Complaints Policy*. However, the Case Manager may also appoint an Investigator to investigate the allegations. The Case Manager must advise the Executive Director of the decision to appoint an Investigator.

7. If an Investigator is appointed, the Investigator must be an independent third-party skilled in investigating claims of harassment. The Investigator must not be in a conflict-of-interest situation and should have no connection to either party.
8. Federal and/or Provincial legislation related to Workplace Harassment may apply to the investigation if Harassment was directed toward a worker in a Workplace. The Investigator should review workplace safety legislation and/or consult independent experts to determine whether legislation applies to the complaint.
9. The investigation may take any form as decided by the Investigator, guided by any applicable Federal and/or Provincial legislation. The investigation may include:
 - a) Complainant interviewed;
 - b) Witnesses interviewed;
 - c) Statement of facts (complainant's perspective) prepared by Investigator and acknowledged by Complainant;
 - d) Statement delivered to Respondent;
 - e) Respondent interviewed;
 - f) Witnesses interviewed; and
 - g) Statement of facts (respondent's perspective) prepared by Investigator and acknowledged by Respondent.

INVESTIGATOR'S REPORT

10. In accordance with the timelines determined by the Case Manager, who may modify the timelines as described in the *Discipline and Complaints Policy*, the Investigator will prepare and submit a Report.
11. The Investigator's Report should include a summary of evidence from the parties (including both statements of facts, if applicable) and recommendations from the Investigator of whether or not, on a balance of probabilities, an incident occurred that

could be considered Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, Abuse or Maltreatment.

12. The Investigator's Report will be provided to the parties with the names and identifying details of any witnesses redacted. The provision of the Investigator's Report is conditional on the parties not distributing the Report to any third party without the written permission of Northern Ontario Curling Association.
13. Should the Investigator find that there are possible instances of offence under the *Criminal Code*, particularly related to Criminal Harassment (or Stalking), Uttering Threats, Assault, Sexual Interference, or Sexual Exploitation, the Investigator shall advise the Complainant to refer the matter to police. The Investigator will further inform Northern Ontario Curling Association through the Case Manager, that the matter should be directed to the police.
14. The Investigator must also inform Northern Ontario Curling Association through the Case Manager of any findings of criminal activity. Northern Ontario Curling Association may decide whether to report such findings to police but is required to inform police if there are findings related to the trafficking of doping drugs or materials, any sexual crime involving minors, fraud against Northern Ontario Curling Association, or other offences where the lack of reporting would bring Northern Ontario Curling Association's reputation into disrepute.
15. The Discipline Committee, Case Manager or the Discipline Panel, as applicable, shall consider the Investigator's Report, in addition to submissions from the parties, prior to deciding sanctions on the complaint.

REPRISAL AND RETALIATION

16. An individual who submits a complaint to Northern Ontario Curling Association, or who gives evidence in an investigation, may not be subject to reprisal or retaliation from any individual or group. Should anyone who participates in the process face reprisal or retaliation, that individual will have cause to submit a complaint.

FALSE ALLEGATIONS

17. An individual who submits allegations that the Investigator determines to be false or without merit may be subject to a complaint pursuant to Northern Ontario Curling

Association's *Discipline and Complaints Policy*. In such circumstances, Northern Ontario Curling Association or the individual against whom the false allegations were submitted may act as the Complainant.

CONFIDENTIALITY

18. The information obtained about an incident or complaint (including identifying information about any individuals involved) will remain confidential, unless disclosure is necessary for the purpose of investigating or taking corrective action or is otherwise required by law.

19. The Investigator will make every effort to preserve the confidentiality of the complainant, respondent, and any other party. However, Northern Ontario Curling Association recognizes that maintaining anonymity of any party may be difficult for the Investigator during the investigation.



Policy Name: Appeals
Date Approved: July 28, 2025
Next Review Date: April 2026

Definitions

1. The following terms have these meanings in this Policy:
 - a) *"Appellant"* – The Party appealing a decision
 - b) *"Case Manager"* – Independent third-party individual or organization appointed by the Northern Ontario Curling Association to administer certain complaints under the Discipline and Complaints Policy.
 - c) *"Respondent"* – The body whose decision is being appealed
 - d) *"Parties"* – The Appellant, Respondent, and any other Individuals affected by the appeal
 - e) *"Days"* – Days including weekends and holidays
 - f) *"Individuals"* – as well as all individuals employed by, or engaged in activities with the Northern Ontario Curling Association including, but not limited to, athletes, coaches, convenors, officials, volunteers, managers, administrators, committee members, Directors and Officers of the Northern Ontario Curling Association, spectators at events, and parents/guardians of athletes.
 - g) *"Sport Dispute Resolution Centre of Canada (SDRCC)"* - The mission of the Centre is to provide to the sport community a) a national alternative dispute resolution service for sport disputes; and b) expertise and assistance regarding alternative dispute resolution."

Purpose

2. Northern Ontario Curling Association is committed to providing an environment in which all Individuals involved with Northern Ontario Curling Association are treated with respect and fairness. Northern Ontario Curling Association provides Individuals with this *Appeal Policy* to enable fair, affordable, and expedient appeals of certain

decisions made by Northern Ontario Curling Association. Further, some decisions made by the process outlined in Northern Ontario Curling Association's *Discipline and Complaints Policy* may be appealed under this Policy.

Scope and Application of this Policy

3. This Policy applies to all Individuals. Any Individual who is directly affected by a decision by the Northern Ontario Curling Association shall have the right to appeal that decision provided there are sufficient grounds for the appeal under the 'Grounds for Appeal' section of this Policy.
4. This Policy **will apply** to decisions relating to:
 - a) Eligibility
 - b) Selection
 - c) Conflict of Interest
 - d) Discipline
 - e) Membership
5. This Policy **will not apply** to decisions relating to:
 - a) Employment
 - b) Infractions for doping offenses
 - c) The rules of the sport
 - d) Selection criteria, quotas, policies, and procedures established by entities other than the Northern Ontario Curling Association
 - e) Substance, content and establishment of team selection criteria
 - f) Volunteer/coach appointments and the withdrawal or termination of those appointments
 - g) Budgeting and budget implementation
 - h) Northern Ontario Curling Association's operational structure and committee appointments
 - i) Decisions or discipline arising within the business, activities, or events organized by entities other than Northern Ontario Curling Association (appeals of these decisions shall be dealt with pursuant to the policies of

those other entities unless requested and accepted by Northern Ontario Curling Association at its sole discretion)

- j) Commercial matters for which another appeals process exists under a contract or applicable law
- k) Decisions made under this Policy

Timing of Appeal

6. Individuals who wish to appeal a decision have fourteen (14) calendar days from the date decision to submit, in writing to the Northern Ontario Curling Association, the following:
 - a) Notice of the intention to appeal
 - b) Contact information and status of the appellant
 - c) Name of the respondent and any affected parties, when known to the Appellant
 - d) Date the appellant was advised of the decision being appealed
 - e) A copy of the decision being appealed, or description of decision if written document is not available
 - f) Grounds for the appeal
 - g) Detailed reasons for the appeal
 - h) All evidence that supports these grounds
 - i) Requested remedy or remedies
 - j) An administration fee of two hundred fifty dollars (\$250), which will be refunded if the appeal is upheld
7. An Individual who wishes to initiate an appeal beyond the fourteen (14) calendar day period must provide a written request stating the reasons for an exemption. The decision to allow, or not allow, an appeal outside of the fourteen (14) calendar day period will be at the sole discretion of the Case Manager and may not be appealed.

Grounds for Appeal

8. A decision cannot be appealed on its merits alone. An appeal may only be heard if there are sufficient grounds for appeal. Sufficient grounds include the Respondent:

- a) Made a decision that it did not have the authority or jurisdiction (as set out in the Respondent's governing documents) to make
 - b) Failed to follow its own procedures (as set out in the Respondent's governing documents)
 - c) Made a decision that was influenced by bias (where bias is defined as a lack of neutrality to such an extent that the decision-maker appears not to have considered other views)
 - d) Failed to consider relevant information or took into account irrelevant information in making the decision
 - e) Made a decision that was grossly unreasonable
9. The Appellant must demonstrate, on a balance of probabilities, that the Respondent has made a procedural error as described in the 'Grounds for Appeal' section of this Policy and that this error had, or may reasonably have had, a material effect on the decision or decision-maker.
10. Upon receiving the notice of the appeal, the fee, and all other information (outlined in the 'Timing of Appeal' section of this Policy), Northern Ontario Curling Association and the Appellant may first attempt to resolve the dispute pursuant to Northern Ontario Curling Association's *Dispute Resolution Policy* or through the Early Resolution Facilitation services offered by the Sport Dispute Resolution Centre of Canada (SDRCC) to be paid by the Party making the request to use the SDRCC's services.
11. Appeals resolved by mediation under Northern Ontario Curling Association's *Dispute Resolution Policy* or through Early Resolution Facilitation at the SDRCC will result in the appeal fee paid to the NOCA, being refunded to the Appellant.

Screening of Appeal

12. Should the appeal not be resolved by using the *Dispute Resolution Policy* or through resolution facilitation at the SDRCC, Northern Ontario Curling Association will appoint an independent Case Manager (who must not be in a conflict of interest) who has the following responsibilities:
- a) Determine if the appeal falls under the scope of this Policy
 - b) Determine if the appeal was submitted in a timely manner
 - c) Decide whether there are sufficient grounds for the appeal

13. If the appeal is denied on the basis of insufficient grounds, because it was not submitted in a timely manner, or because it did not fall under the scope of this Policy, the Appellant will be notified, in writing, of the reasons for this decision. This decision may not be appealed.
14. If the Case Manager is satisfied there are sufficient grounds for an appeal, the Case Manager will appoint an Appeal Panel which may consist of one to three individuals independent from the organization and the complaint. The Case Manager will appoint one of the Panel's members to serve as the Chair.

Procedure for Appeal Hearing

15. The Case Manager shall notify the Parties that the appeal will be heard. The Case Manager shall then decide the format under which the appeal will be heard. This decision is at the sole discretion of the Case Manager and may not be appealed.
16. If a Party chooses not to participate in the hearing, the hearing will proceed in any event.
17. The format of the hearing may involve an oral in-person hearing, an oral hearing by telephone or other electronic means, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Case Manager and the Appeals Panel deem appropriate in the circumstances, provided that:
 - a) The hearing will be held within a timeline determined by the Case Manager
 - b) The Parties will be given reasonable notice of the day, time and place of the hearing
 - c) Copies of any written documents which the parties wish to have the Panel consider will be provided to all Parties in advance of the hearing
 - d) The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense
 - e) The Panel may request that any other individual participate and give evidence at the hearing.
 - f) The Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the appeal, but may exclude such evidence that is unduly repetitious and shall place such weight on the evidence as it deems appropriate
 - g) If a decision in the appeal may affect another party to the extent that the

other party would have recourse to an appeal in their own right under this Policy, that party will become a party to the appeal in question and will be bound by its outcome

- h) The decision to uphold or reject the appeal will be by a majority vote of Panel members

18. In fulfilling its duties, the Panel may obtain independent advice.

Appeal Decision

19. The Panel shall issue its decision, in writing and with reasons, within fourteen (14) calendar days after the hearing's conclusion. In making its decision, the Panel will have no greater authority than that of the original decision-maker. The Panel may decide to:

- a) Reject the appeal and confirm the decision being appealed
- b) Uphold the appeal and refer the matter back to the initial decision-maker for a new decision
- c) Uphold the appeal and vary the decision

20. The Panel's written decision, with reasons, will be distributed to all Parties, the Case Manager, and Northern Ontario Curling Association. In extraordinary circumstances, the Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued thereafter. The decision will be considered a matter of public record unless decided otherwise by the Panel.

21. The Panel's decision may be appealed by any of the Parties to the SDRCC in accordance with the Canadian Sport Dispute Resolution Code.

Timelines

22. If the circumstances of the appeal are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the appeal, the Case Manager and/or Panel may direct that these timelines be revised.

Confidentiality

23. The appeals process is confidential and involves only the Parties, the Case Manager, the Panel, and any independent advisors to the Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information to any

person not involved in the proceedings.

Final and Binding

24. No action or legal proceeding will be commenced against Northern Ontario Curling Association or Individuals in respect of a dispute, unless Northern Ontario Curling Association has refused or failed to provide or abide by the dispute resolution process and/or appeal process as set out in Northern Ontario Curling Association's governing documents.



Policy Name: Dispute Resolution

Date Approved: July 28, 2025

Next Review Date: April 2026

DEFINITIONS

1. The following term has this meaning in this Policy:
 - a) *“Individuals”* – all individuals employed by, or engaged in activities with Northern Ontario Curling Association including, but not limited to, athletes, coaches, convenors, officials, volunteers, managers, administrators, committee members, and Directors and Officers of Northern Ontario Curling Association.
 - b) *“Case Manager”* – An independent third-party individual or organization appointed by Northern Ontario Curling Association to administer certain complaints under the *Discipline and Complaints Policy*

PURPOSE

2. Northern Ontario Curling Association supports the principles of Alternate Dispute Resolution (ADR) and is committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes. Alternate Dispute Resolution also avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.
3. Northern Ontario Curling Association encourages all Individuals to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. Northern Ontario Curling Association believes that negotiated settlements are usually preferable to outcomes resolved through other dispute resolution techniques. Negotiated resolutions to disputes with and among Individuals are strongly encouraged.

APPLICATION OF THIS POLICY

4. This Policy applies to all Individuals.
5. Opportunities for Alternate Dispute Resolution 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

6. The dispute will first be referred to the Case Manager for review, with the objective of resolving the dispute via Alternate Dispute Resolution and/or mediation
7. If all parties to a dispute agree to Alternate Dispute Resolution or mediation, the Case Manager may refer the alternate dispute resolution process to a resolution facilitator from an Approved List provided by Northern Ontario Curling Association.
8. If all parties to a dispute agree to Alternate Dispute Resolution, a mediator or facilitator, acceptable to all parties, shall be appointed to mediate or facilitate the dispute.
9. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated and shall specify a deadline before which the parties must reach a negotiated decision.
10. Should a negotiated decision be reached, the decision shall be reported to and approved by the Case Manager and Northern Ontario Curling Association. Any actions that are to take place because of the decision shall be enacted on the timelines specified by the negotiated decision, pending Northern Ontario Curling Association's approval.
11. Should a negotiated decision not be reached by the deadline specified by the mediator or facilitator at the start of the process, or if the parties to the dispute do not agree to Alternate Dispute Resolution, the dispute shall be now considered under the appropriate section of Northern Ontario Curling Association's *Discipline and Complaints Policy* or *Appeal Policy*, as applicable.

FINAL AND BINDING

12. Any negotiated decision will be binding on the parties. Negotiated decisions may not be appealed.

FEES

13. It is understood that if Alternate Dispute Resolution is used after all internal avenues of decision making, negotiation, facilitation, mediation, and/or appeals have been exhausted, any cost for these services will be evenly split between each party's associated with that mediation.