



Brock University Graduate Students' Association

Document 018A

The Graduate Students' Association Dispute Resolution Policy

Name

1. This Document shall be known as the "Dispute Resolution Policy."

Purpose

2. To outline the structure and guidance on disputes or controversies among Members, Directors, Officers, Committee members, or volunteers of the Graduate Students' Association ("GSA") as much as possible to be resolved by mediation and/or arbitration as provided in this policy.

Procedure

3. In the event that a dispute among Members, Directors, Officers, Committee members, or volunteers of the GSA arising out of or related to GSA Articles, Bylaws, Policy's, or out of any aspect of the operations of the GSA is not resolved in private meetings between the parties, then without prejudice to or in any other way detracting from the rights of the members, directors, officers, committee members, employees or volunteers of the GSA as set out in the by-laws, policies or agreements, and as an alternative to such person instituting a lawsuit or legal action, such dispute shall be settled by a process of dispute resolution as follows:

- a) The dispute shall first be submitted to a panel of mediators whereby the one party appoints one mediator, the other party (or if applicable the GSA Board of Directors) appoints one mediator, and the two mediators so appointed jointly appoint a third mediator. The three mediators will then meet with the parties in question to mediate a resolution between the parties,
- b) The number of mediators may be reduced from three to one or two upon agreement of the parties,
- c) If the parties are not successful in resolving the dispute through mediation, then the parties agree that the dispute shall be settled by arbitration before a single arbitrator, who shall not be any one of the mediators referred to above unless by mutual agreement of the parties, in accordance with Ontario law or as otherwise agreed upon by the parties to the dispute. The parties agree that all proceedings relating to arbitration shall be kept confidential and there shall be no disclosure of any kind. The decision of the arbitrator shall be final and binding,
- d) All costs of the individual mediator selected by each party shall be borne by that party. All costs of an appointed third mediator in accordance with this section shall be borne equally by the parties to the dispute. Each pays their own mediator and jointly pays the third mediator. All costs of the arbitrator appointed in accordance with this section shall be borne equally by the parties.