

ALTERNATIVE DISPUTE RESOLUTION POLICY

Purpose

1. The CSCS supports the principles of Alternative Dispute Resolution (ADR) and is committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes.
2. The CSCS encourages all Parties to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. The CSCS believes that negotiated settlements are most often preferable to outcomes resolved through other dispute resolution techniques.

Application of this Policy

3. This Policy applies to all disputes within the CSCS when all Parties to the dispute agree that such a course of action would be mutually beneficial.

Facilitation and Mediation

4. If all parties to a dispute agree to ADR, a mediator or facilitator shall be appointed by the CSCS and/or the Case Manager, Independent Third Party or Appeal Manager (as applicable) to mediate the dispute.
5. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated.
6. Should a negotiated settlement be reached, the settlement shall be reported to the CSCS. Where the CSCS may be required to implement any part of a negotiated settlement, it shall become a Party to the mediation or it shall be given the opportunity to approve the negotiated settlement, but only with respect to aspects of the settlement that it may be required to implement.
7. Should a negotiated settlement not be reached by the deadline specified by the mediator or facilitator (if applicable), or if the parties to the dispute do not agree to ADR, the dispute shall be managed under the CSCS *Discipline and Complaints Policy* or *Appeal Policy*, as applicable.

Final and Binding

8. Any negotiated settlement will be binding on the Parties and shall, unless the Parties decide otherwise, remain confidential and will be protected by the CSCS's Privacy Policy, as applicable. Negotiated settlements may not be appealed.
9. No action or legal proceeding will be commenced against CSCS or its representatives in respect of a dispute, unless the CSCS has refused or failed to provide or abide by its governing documents.

Privacy

10. The collection, use and disclosure of any personal information pursuant to this Policy is subject to the CSCS's Privacy Policy.
11. The CSCS, or any of its delegates pursuant to this Policy, shall comply with the CSCS's Privacy Policy in the performance of their services under this Policy.