

Saskatchewan Triathlon Association Corp

# APPEAL POLICY FLOWCHART



# TRIATHLON SASKATCHEWAN

## APPEAL POLICY FLOWCHART

All appeals are to be submitted to Sask Sport's identified Independent Third-Party for appeal submissions and will be screened by the Independent Appeal Manager to determine next steps.

### Appellant files appeal to Independent Third Party within 14 days of receipt of the decision

Following notification by Independent Third Party that an appeal has been received, [PSO] will appoint an independent Appeal Manager (from Sask Sport website) who has the following responsibilities:

#### Screening of Appeal

- a) To determine if the appeal falls under the scope of the Appeal Policy (Sections 2-5)
- b) To determine if the appeal was submitted in a timely manner (Sections 6 and 7)
- c) To decide whether there are sufficient grounds for the appeal (Section 8)

#### Appeal to Proceed

1. Appeal Manager to propose the Parties attempt to resolve the dispute using the *Alternate Dispute Resolution Policy*
2. If alternative dispute resolution (mediation) is not agreed upon by both parties or not successful, the Appeal Manager will appoint an appeal panel in accordance with Sections 14 and 15

#### Appeal is Dismissed

1. The Appeal is dismissed if the Appeal Manager determines:
  - a. Not within scope of the Appeal Policy
  - b. Not submitted in a timely manner (14 days) of required deadline without extension or approval
  - c. Insufficient grounds for appeal

#### Appeal Hearing (ADR Unsuccessful or Denied)

1. The Appeal Manager will:
  - a. Appoint the appeal panel
  - b. With cooperation of the panel, determine the format of the appeal hearing
  - c. Provide notice of the hearing
  - d. Ensure all evidence and submissions are disclosed to all parties and the panel
  - e. Set all timelines
2. The panel:
  - a. May request other individuals participate in the hearing
  - b. Will determine the admissibility of evidence
  - c. Will render a written decision within 14 days and provide it to the Appeal Manager who will distribute the decision as necessary
3. The panel's decision may:
  - a. Reject the appeal
  - b. Uphold the appeal and refer matter back to the initial decision maker for a new decision
  - c. Uphold the appeal and vary the decision
4. The panel's decision is final and is not appealable.

#### Alternative Dispute Resolution Policy

1. ADR may be pursued at any point in an appeal upon the consent of the parties
2. The Independent Third Party will:
  - a. Facilitate the appointment of a facilitator or mediator with the consent of the parties
  - b. Appoint a mediator or facilitator
3. The mediator/facilitator will decide the format for mediation/facilitation
4. If a negotiated settlement is reached, the settlement will be reported to the Association (Safe Sport Liaison) and the Appeal Manager
5. If a negotiated settlement is not reached, the complaint will be referred back to the Appeal Manager or appeal panel
6. Any negotiated settlement will be binding on the parties and not subject to appeal

#### Appeal is Resolved

Outcomes and those implications are communicated to the parties, applicable organizations, and individuals (Section 25). Appeal ruling posted on Sask Sport website.