



## MANITOBA CRICKET ASSOCIATION INC.

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### Manitoba Cricket Association Policies and Procedures

#### Dispute Resolution Policy

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#### Purpose

The purpose of this policy is to provide a pathway for anyone involved in a dispute to get a fair and satisfied resolution. *See Disciplinary policy and Disciplinary Committee policy.*

#### Selection of Arbitrator

An Arbitrator or Arbitrators may be chosen from members of the Manitoba Cricket Association (MCA). In cases where members of the MCA does not possess the necessary expertise, individuals with the proper expertise or training may be solicited to serve as an Arbitrator or as a member of an Arbitration Board.

#### Arbitration Provision

- a. Either party in a dispute shall have the right to request non-binding arbitration instead of having the dispute heard by a Disciplinary Committee. Upon making a written request for arbitration, the dispute shall be submitted to an Arbitrator mutually selected by the parties.
- b. In the event the parties cannot mutually select a single Arbitrator, then each party shall select a single Arbitrator. The two selected Arbitrators shall select a third Arbitrator to form an arbitration board, the majority of which shall make a determination as a single Arbitrator.
- c. If the Arbitrator, after reviewing the submitted documents, determines that the offending party has committed a breach of the MCA's disciplinary code, the Laws of Cricket, ICC code of Ethics, or any other breach that will bring the MCA into disrepute, the Arbitrator will render a written decision to the MCA Board/Executive no later than seven (7) days following the conclusion of the hearing. This decision will be communicated immediately in writing to the parties involved in the dispute.
- d. Either or both parties may appeal the decision of the Arbitrator in writing to the MCA Board/Executive within seven (7) days from the date of the letter received from the MCA.
- e. The MCA, upon receiving the notice of appeal shall:
  - review all correspondence and evidence relating to the incident

- review the decision of the Arbitrator
- make a determination as to the correctness of the decision of the arbitrator based on the evidence reviewed
- The MCA, following a review of the arbitrator's findings and recommendations, shall within 14 days of the date of the appeal letter that was received, shall inform the appellant in writing of their decision. This may result in a lessening, confirming or increasing the penalty where possible.
- the decision of the MCA Board/Executive is final.

**Any expense incurred by the parties relating to presentation of material information relating to the dispute will not be reimbursed by the MCA.**

Notwithstanding the foregoing, the Arbitrator may make a determination as to the allocation of costs and expenses of arbitration.