



Corporate Plan for the 2019-2020 Fiscal Year

March 1st, 2019

SPORT DISPUTE RESOLUTION CENTRE OF CANADA (SDRCC)

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Background and Governance

THE CANADIAN SPORT POLICY

The vision of the Canadian Sport Policy 2012 is to have, by 2022, “a dynamic and innovative sport culture that promotes and celebrates participation and excellence in sport”. Fundamental to the Policy is the assumption that quality sport is dependent on seven principles appropriately integrated into all sport-related policies and programs: values-based; inclusive; technically sound; collaborative; intentional; effective; and sustainable. The vision emphasizes a commitment to learning and implementing best practices in an ever-changing environment.

STATUTORY MANDATE

An Act to Promote Physical Activity and Sport (S.C. 2003, c. 2) (the “Act”) received Royal Assent on March 19, 2003. The Act sets out the Government’s policy on sport as including the fair, equitable, transparent and timely resolution of disputes in sport. The Act provided for the creation of the Sport Dispute Resolution Centre of Canada (the “Centre”). The Centre opened on April 1, 2004.

In keeping with the vision of the Canadian Sport Policy 2012-2022, and the government stated priorities for sport, and in accordance with the Act, the statutory mandate of the Centre is to provide the sport community with a national alternative dispute resolution service for sport disputes as well as expertise and assistance regarding alternative dispute resolution.

CLIENTELE

Sport Canada’s accountability framework requires that all national sport organizations (NSOs), multisport services organizations (MSOs) and Canadian Sport Centres (CSCs) have an internal dispute resolution mechanism. If not resolved internally, disputes with respect to national team athletes and coaches are administrated by the Centre.

The dispute resolution services rendered by the Centre may additionally be offered for other matters on a consensual basis. All NSOs, MSOs and CSCs, and anyone affiliated with them, including its members, may agree to refer a dispute to the Centre and benefit from the Centre’s services, provided they meet certain criteria adopted by the Centre.

Where other sport organizations and their members request access to the Centre’s services, the Board may, under certain conditions, grant access to the Centre, including through its fee-for-service program.

The Centre’s education and prevention services are made available to all members of the Canadian sport community.

GOVERNING LEGISLATION

The Act establishes the Centre as a not-for-profit corporation and outlines its structure, mission, powers and rules of operation. Given the intention to make the Centre arm's length from government, the legislation states that the Centre is not an agent of Her Majesty, a departmental corporation or a Crown corporation.

ORGANIZATIONAL STRUCTURE

The Act specifies that the Centre shall be composed of a dispute resolution secretariat ("Secretariat") and a resource centre ("Resource Centre"), but leaves it to the Centre to define its mandate, duties and functions to ensure that it is responsive to the evolving needs of the sport community in order to better enhance capacity in the Canadian sport community.

Pursuant to the Act, the affairs and business of the Centre are managed by a Board of Directors consisting of twelve (12) directors appointed by the Minister responsible for sport, as well as the Executive Director (or Chief Executive Officer) of the Centre, who is an *ex officio* director. In December 2003, the Minister appointed the inaugural directors after consultation with the sport community. The guidelines cited in the Act provide for a Board comprised of men and women who: a) are committed to the promotion and development of sport; b) have the experience and capability to enable the Centre to achieve its objectives; c) are representative of the sport community; and d) are representative of the diversity and linguistic duality of Canadian society. Seven of the Board members saw their mandate renewed in 2018 for another three years. In anticipation of five Board members ending their second mandate in July 2019, including the Chairperson of the Board, a call for applications was issued in November 2018. The SDRCC is awaiting the announcement of appointments by the Minister at the beginning of the 2019-2020 fiscal year.

The full-time Chief Executive Officer is charged with the fulfillment of the objectives and mission of the Centre, including spearheading the projects, programs, and services offered by the Centre and overseeing their successful delivery across Canada. The Chief Executive Officer and staff coordinate activities and projects to further the objectives of the Centre and provide the mandated services for the Centre's stakeholders.

The Secretariat and the Resource Centre are managed internally by the staff of the Centre (the Chief Executive Officer and five employees). The Board reviews and revises as necessary the management of both the Secretariat and the Resource Centre during the course of the fiscal year in order to best serve the needs of the sport community.

Members of the Board of Directors during the 2018-2019 fiscal year:

- David de Vlieger, Chairperson
- Michael J. Bruni
- Shu-Tai Cheng
- Linda Cuthbert
- Jean R. Dupré
- Susan Kitchen
- Marg McGregor
- The Honourable Graeme Mew
- Andréanne Morin
- Dasha Peregoudova
- William L. Ryan
- Anthony Wright
- Marie-Claude Asselin (Chief Executive Officer, *ex officio*)

Permanent staff members during the 2018-2019 fiscal year:

- Marie-Claude Asselin, Chief Executive Officer
- Liane Mendelsohn, Administrative Assistant
- Tanya Gates, Operations Manager
- Martin Gariépy, Communication and Promotion Officer (*since June 11, 2018*)
- Stéphane Grégoire, Education and Partnerships Coordinator (*until November 10, 2018*)
- Eleni Siganos, Education and Partnerships Coordinator (*since January 3, 2019*)
- Alexandra Lojen, Case Manager (*since January 7, 2019*)

The firm Baker Tilly, formerly known as Collins Barrow, was appointed by the Board of Directors as the independent auditor for the 2018-2019 fiscal year.

The Regroupement Loisir et Sport du Québec (RLSQ) provides accounting services to the Centre.

Arbitrators and Mediators Appointed until April 30, 2021, by Province:

Alberta

Roger Gunn (Mediator)
Sue Lambert (Mediator)
Michelle Simpson (Mediator)
John Harrison Welbourn (Arbitrator)

British Columbia

Paul Denis Godin (Mediator)
Peter Lawless (Arbitrator)
Simon Margolis (Mediator/Arbitrator)
Hugh McCall (Mediator/Arbitrator)
JJ McIntyre (Arbitrator)
Carol Roberts (Mediator/Arbitrator)
John P. Sanderson (Mediator)

Manitoba

Jeffrey Palamar (Arbitrator)
Louise Pelletier (Mediator)

New Brunswick

Darlene Doiron (Mediator)

Newfoundland and Labrador

James Oakley (Mediator/Arbitrator)

Northwest Territories

Cayley Jane Thomas (Mediator)

Nova Scotia

Peter J. MacKeigan (Mediator)

Ontario

Bruce Ally (Mediator)
The Honourable Robert P. Armstrong (Arbitrator)
Larry Banack (Arbitrator)
David Bennett (Mediator/Arbitrator)
Rick Brooks (Mediator)

Ontario (*continued*)

John Curtis (Mediator)
Kileen Dagg Centurione (Mediator)
Ross C. Dumoulin (Arbitrator)
Jonathan Fidler (Mediator/ Arbitrator)
Steven C. Gaon (Mediator)
Thomas Heintzman (Mediator/Arbitrator)
Janice Johnston (Mediator/ Arbitrator)
Richard H. McLaren (Arbitrator)
Robert Néron (Arbitrator)
Aaron Ogletree (Mediator/ Arbitrator)
Gordon E. Peterson (Mediator/ Arbitrator)
Anne Sone (Mediator)
Allan Stitt (Mediator/Arbitrator)
Jennifer Webster (Mediator/ Arbitrator)
Matthew Wilson (Arbitrator)

Quebec

Marie-Claire Belleau (Mediator)
Thierry Bériault (Mediator)
Dominique F. Bourcheix (Mediator)
Patrice M. Brunet (Arbitrator)
Sarah Daitch (Mediator)
The Honourable Robert Décary (Arbitrator)
Stephen L. Drymer (Mediator/Arbitrator)
Julie Duranceau (Mediator)
L. Yves Fortier (Mediator/Arbitrator)
Richard W. Pound (Arbitrator)
Janie Soublière (Arbitrator)
Patrick Zakaria (Mediator)

Saskatchewan

Charmaine Panko (Mediator/Arbitrator)

Multi-Year Strategy and Objectives for 2016-2020

LONG-TERM OBJECTIVES 2016-2020

The Board of Directors has adopted the following as its vision statement: “A culture of fairness, integrity and respect is embraced in Canadian sport and beyond”. In aiming to achieve this vision, the Centre seeks to provide global leadership in sport dispute prevention and resolution, while fostering a culture of integrity, fairness and respect in Canada. Following extensive consultation and discussion, the Board has endorsed a strategic plan to guide the Centre’s activities over the 2016-2020 quadrennial. The plan has four strategic pillars, each with an overarching goal expressed as the desired outcome.

Pillar 1: Providing Sport Dispute Resolution Services to the Canadian Sport Community

Goal: All sport disputes brought to the Centre are handled in a fair, transparent, timely and cost-effective manner.

Strategies identified to achieve this goal include ensuring that the roster of arbitrators and mediators delivers professional services in accordance with the Centre’s mission, optimising case management services, ensuring procedural rules are current and compliant and expanding the Centre’s fee-for-service activities.

Pillar 2: Strengthening the Capacity of the Canadian Sport Community to Prevent and Resolve Disputes

Goal: Stakeholders have the resources and tools to effectively prevent and resolve sport disputes.

Strategies identified to achieve this goal include improving the Canadian sport community’s access to sport dispute resources and increasing stakeholder engagement and interaction.

Pillar 3: Supporting the Canadian Sport Community in Creating a Safe Sport Environment

Goal: An impartial and independent system exists in the Canadian sport community to monitor compliance with safe sport rules and standards.

Strategies identified to achieve this goal include engaging in a consultative process to clarify needs and expectations of the sport community and assessing the Centre’s capacity, potential role and scope of service.

Pillar 4: Pursuing Organizational Excellence

Goal: The Centre is a sustainable, accountable, and responsible model of best practices.

Strategies identified to achieve this goal include optimizing the Centre’s systems, processes and human capital, maintaining and diversifying sources of revenue, and exploring international collaboration opportunities.

REPORT ON ACTIVITIES 2018-2019

- From April 1, 2018 to February 26, 2019, the Centre managed 55 new sport disputes, including 15 anti-doping violation assertions, two doping appeals, and five doping cases on a fee-for-service basis.
- The Centre has entered into agreements with four national sport organizations to provide independent and professional case management services for internal discipline or internal appeal processes on a fee-for-service basis. Case management services were provided by the Centre for five such cases.
- In partnership with the ADR Institute of Manitoba, the Centre provided professional development for its arbitrators and mediators at its conference in Winnipeg. Roster members also participated in a discussion forum to identify themes and topics for future initiatives and training opportunities.
- The Case Management Portal (CMP) licensing pilot with the Mediation Clinic of the University of Montreal was successful on all counts and the agreement was renewed.
- The Sport Law Connect Program was launched as a pilot project in British Columbia in partnership with ViaSport BC and ADRBC.
- Staff attended the 2019 Canada Winter Games in Red Deer to offer on-site dispute resolution services and distribute educational material to Games participants. Prior to printing, the Centre was seized of seven dispute resolution requests pertaining to the Games.
- *A Sport Administrator's Guide to Anti-Doping Rule Violation Assertions* was introduced and copies were sent to 65 NSOs, as well as 56 U Sports and 98 CCAA member institutions. Two (2) additional publications, *So, I'm an Affected Party?* and *Getting Ready for the Hearing* were added to the Centre's online *Guide to SDRCC Proceedings* resource.
- The Centre continued to actively provide outreach to the sport community. At the time of printing staff members have attended 19 partner events or conferences, facilitated 27 workshops including two by webinar, and distributed dispute prevention and resolution publications with its kiosk at 10 events. Nine packages of education materials were sent to newly appointed national sport organization senior staff members.
- An Investigation Unit was launched as a pilot project for federally-funded sport organizations. Overseen by an Advisory Committee, pre-selected investigators received sport-specific orientation and training to deliver independent and professional services to address code of conduct or harassment complaints. Remuneration conditions, policies and guidelines for quality control were established.
- The Centre's Complaint Process Policy, Anti-Harassment Policy, Financial Administration Policy and Human Resources Policy were reviewed and updated during the period.
- During the period, the Centre complied with its legislative and contractual obligations.

Objectives and Planned Initiatives for 2019-2020

STRATEGIC PRIORITIES 2019-2020

The Centre's strategic priorities for the 2019-2020 fiscal year include: (i) providing client-oriented, efficient and professional sport dispute resolution services; (ii) further developing strategic relationships to maximize shared resources and increase awareness of its dispute prevention initiatives; (iii) continuing to foster collaboration opportunities to assist members of the Canadian sport community in the efficient resolution of sport disputes; (iv) supporting the sport community with the establishment of a safe sport compliance system to address harassment and abuse complaints; and (v) continuing to practice transparent and responsible management and governance.

In delivering on its statutory mandate, the Centre's projected activities for the 2019-2020 fiscal year will ensure that the two core elements of its services, the Dispute Resolution Secretariat and the Dispute Prevention Resource Centre, are maintained and enhanced.

When disputes arise, the Dispute Resolution Secretariat will continue to provide professional dispute resolution services to NSOs, MSOs and CSCs. It will also continue to offer its case management expertise and its state-of-the-art technology to assist sport organizations with their internal processes on a fee-for-service basis.

The primary objective of the Dispute Prevention Resource Centre is to provide information and tools to assist all members of the sport community in preventing disputes and to enhance the capacity of NSOs, MSOs and CSCs to resolve those disputes that cannot be prevented. In the 2019-2020 fiscal year, the Centre will continue to expand the reach of its education and dispute resolution resources and actively explore opportunities for collaboration with sport organizations at the national, provincial and territorial levels to promote a culture of fairness, integrity and respect within the Canadian sport system.

The Centre will offer, as a pilot project until March 2020, a list of qualified and independent investigators to assist federally-funded sport organizations in Canada in handling complaints and allegations of harassment, abuse or discrimination of any kind. The Centre will also offer a telephone service to assist victims and witnesses of harassment or abuse in Canadian sport.

In the pursuit of organizational excellence, the Centre will provide an orientation to its new Board members, renew its long-term strategic plan and continue to apply strong governance and business practices while carrying out its mandate in full compliance with the Act and with the requirements of the Government of Canada in the delivery of its services.

OBJECTIVES AND INITIATIVES 2019-2020

Pillar 1: Providing Sport Dispute Resolution Services to the Canadian Sport Community

Initiatives:

- Collaborate with the Court of Arbitration for Sport to host its next North American regional seminar in conjunction with the Centre's Mediator and Arbitrator conference to be held in Montreal in 2020.
- Continue to actively promote the use of Early Resolution Facilitation to all federally-funded sport organizations.
- Expand the reach of the Centre's case management services to more sport organizations in the conduct of their internal dispute resolution processes;
- Update and publish the annotated version of the Canadian Sport Dispute Resolution Code.

Pillar 2: Strengthening the Capacity of the Canadian Sport Community to Prevent and Resolve Disputes

Initiatives:

- Support the implementation and evaluation of the Sport Law Connect Program in British Columbia and seek to establish partnerships in other provinces and territories to expand the program;
- Prioritize topics and publish a series of model policy templates for sport organizations;
- Continue to seek opportunities to increase the reach of dispute prevention resources and tools to the Canadian Sport Community.

Pillar 3: Supporting the Canadian Sport Community in Creating a Safe Sport Environment

Initiatives:

- Support the Advisory Committee in the responsible management and evaluation of the Investigation Unit pilot project;
- Establish a helpline for victims and witnesses of harassment or abuse in Canadian sport to obtain the necessary assistance, advice and referrals;
- Develop a system aimed at helping the Canadian sport community address non-compliance with its safe sport policies and codes of conduct.

Pillar 4: Pursuing Organizational Excellence

Initiatives:

- Renew the long-term strategy for the period 2020-2024 and begin its implementation;
- Provide orientation to new members of the Board of Directors;
- Continue to develop and promote the Centre's new initiatives and fee-for-service offerings and secure the additional resources required to support them;
- Ensure that the Centre's policies comply with the Act, its by-laws and any agreements to which the Centre is a party.

BUDGET 2019-2020

Consistent with the objectives and planned initiatives for 2019-2020, the total proposed budget for this fiscal year is \$1,181,100 broken down as follows:

ADMINISTRATION	110,000
GOVERNANCE	50,000
OFFICIAL LANGUAGES	37,000
OPERATIONS	379,000
HUMAN RESOURCES	524,000
TOTAL EXPENSES	1,100,000
CORE FUNDING REQUESTED FROM SPORT CANADA	1,100,000
FUNDING ABOVE-REFERENCE LEVEL OF SPORT CANADA	81,100

