

Policy 0735 P: DISPUTE RESOLUTION PROCEDURES

Scope:

1. The Dispute Resolution procedures apply to USPC members, volunteers, sponsors, officers and staff if the dispute involves staff and one of the aforementioned.
2. Disputes involving only national office staff will be addressed by the Executive Director.

General:

1. USPC is committed to resolving disputes as quickly and equitably as possible in order to promote a positive outcome.
2. Parties to a dispute should first attempt to resolve the dispute between themselves as soon as possible. Open communication and listening are key to reaching a satisfactory resolution.
3. If the issue cannot be resolved, either party may request dispute adjudication. Requests must be in writing, letter or email, and presented to any level of USPC leadership.
4. The person receiving the dispute communication will determine to whom it should be referred and will inform the originating parties if the concerns are sent to someone else to address.
5. If either party is not satisfied with the decision of the initial authority the decision may be appealed to the next level of authority.
6. No party to a dispute, or anyone involved in the research or resolution of a dispute, may be retaliated against for utilizing these procedures.
7. Any party who serves as a mediator should be considered as impartial and unemotional by all and ideally will have professional training in mediation and arbitration.

Who addresses dispute, appeal, and who is final decision authority:

- A. Disputes involving Clubs or Regions should be resolved at the lowest level of authority possible:
 1. If one Club is involved: DC addresses. If appealed, goes to RS who will consult with VRS or Regional Officers prior to making decision. RS decision is final.
 2. If DC involved: RS; then VPRA whose decision is final
 3. If Two or more clubs: RS; then VPRA whose decision is final
 4. If concerns of two or more clubs involve issues that come under the jurisdiction of either Activities or Instruction, the VPRA addresses and must consult with the other affected VP(s). If no agreement by the VPs, then the First Vice President is the final decision authority.
 5. The DC or the RS may appoint a mediator/arbitrator from either the Sponsors (Club) or the Regional Council to handle the dispute. The DC or RS will utilize the recommendations of the mediator in making a decision.
- B. Disputes involving Centers: The Chair of the Centers Committee and/or the Regional Administration Council addresses disputes involving Centers except for disputes involving the Riding Center contract with the United States Pony Clubs, Inc. which would be handled by the National Office in accordance with the provisions of the contract.
- C. Disputes that involve National Office Staff and any other volunteer, member, officer, or Sponsor is addressed by the First Vice President (First VP).
- D. Disputes within the Board of Governors, Board Committees, and Councils are addressed by the First VP. If First VP is unavailable or party to dispute, The Executive Committee will appoint a mediator or panel from the Board of Governors.

Process for Dispute Resolution:

1. Individual submits written dispute to leadership who then will determine Appropriate Authority to address the dispute and refer to them if needed.

2. A letter will be sent to all affected parties acknowledging receipt of the written dispute and outlining the steps that will follow. Sample below, to be modified for specific situation.
3. The Appropriate Authority will appoint a mediator or panel as needed.
4. If mediation is to take place, the Appropriate Authority will send copies of all necessary information and instruct the mediator to arrange a date and time for a mediation session. The Mediator may at their discretion conduct individual interviews with all parties prior to a mediation session. A USPC conference line may be used for the conduct of dispute mediation process, in coordination with the National Office.
5. If mediation does not take place or is unsuccessful, then a full review of the circumstances will be undertaken, and a final decision rendered by the Appropriate Authority. This final decision will also recognize that other policy and procedural steps may need to be undertaken beyond the final determination of the Dispute Mediator or Panel.
6. It is highly recommended that the Mediator include a neutral/impartial person to take notes. That person must understand the need for confidentiality. Notes will be shared with all parties, and maintained in a secure file at the National Office. With the agreement of all parties, the session may be recorded as an alternative to utilizing a note taker.

Written Documentation must include:

1. Who received the request for dispute resolution, and if referred, to whom was the Appropriate Authority to which it was referred.
2. Who was designated (person(s) or panel) to act on behalf of the Club/Region/Council or Committee to implement the process. Include acknowledgement of and acceptance of that responsibility.
3. Timeline for the process (see suggested timeline below)
4. If appealed, include content of appeal, who received the appeal, expected timeline for the appeal.
5. Persons (by positions) that must be involved and consulted in the decision
6. Written report of fact finding and fact checking including summary of discussions.
7. Disposition of final decision.

Suggested timeline:

Day 0	Receives Request for Dispute Resolution at Any Level or Functional Area
No Later Than Day 5	Initial Receiver of Request for Dispute Resolution Acknowledges to Disputing Party(ies) of Receipt
	Initial Receiver Assesses Request to Determine Appropriate Level/ Action
No Later Than Day 15	If Required, Initial Receiver Informs Disputing Party(ies) of Appropriate Level Assessment; Forwards Request to Appropriate Authority
No Later Than Day 25	Dispute Resolution Authority Convenes Panel to Fact Find, Mediate, and Provide Recommendations
No Later Than Day 44	Panel or Designated Individuals Provide Initial Report and Recommendations to Dispute Resolution Authority
No Later Than Day 51	Dispute Resolution Authority Provides a Decision Regarding the Dispute and Informs Party(ies)
No Later Than Day 60	Final Report Complete and Filed at Regional Level or National Office with the Appropriate Director

Sample letter (to be modified according to specific situation):

{Date}

{Name}

{Address}

{Town} {State} {Zip code}

This letter is to acknowledge your letters of _____ surrounding the circumstances of _____.

As such, USPC will be undertaking the following steps to address this situation.

- 1) We will form a Committee headed by the USPC 1st Vice President. (Or _____)*
- 2) The Committee (or mediator) will share your letters with all necessary parties so as to allow all parties to prepare a response within 15 days.*
- 3) The Committee will arrange for a mediation between the affected parties unless any party declines participation.*
- 4) If mediation does not take place or is unsuccessful, the Committee will conduct interviews and a full review of the circumstances and events, and will render a final determination within 90 days.*

At this time, procedural steps one and two have been undertaken. You will be contacted within 15 days to establish a mediation date to undertake step number three.

{Signed}