

Pride Toronto Dispute Resolution Process 2014

In accordance with the City of Toronto's "Declaration of Compliance with Anti-Harassment/Discrimination Legislation & City Policy", the Dispute Resolution Process (DRP) is established by Pride Toronto to review and resolve complaints about a group's participation in or exclusion from the Pride Parade. The DRP is not a legal proceeding. Complaints about any other Pride Toronto activities and decisions **not** relating to a group's participation in or exclusion from the Pride Parade, and any proposed changes to the by-laws or policies of Pride Toronto, will **not** be considered through the DRP.

The Board of Pride Toronto has appointed a roster of volunteer Dispute Resolution Officers (DROs) who have relevant professional experience in adjudication and dispute resolution. The DROs do not advocate on behalf of or represent any party in a dispute.

Initiating a Complaint

A complaint must be submitted by e-mail to disputeresolution@pridetoronto.com by **11:59PM ET on June 4, 2014**. The complaint must contain all of the following information:

- a. the complainant's name and contact information (phone number and/or e-mail);
- b. the group whose participation or exclusion is the subject of the complaint;
- c. the specific grounds for the complaint, including reference to the particular section in a Pride Toronto by-law, policy, or rule that is alleged to be at issue; and
- d. the exact form of relief or remedy sought by the complainant.

A complainant must either elect to proceed by mediation, to be followed by arbitration (if mediation is unsuccessful), or waive mediation and simply elect to proceed to arbitration.

The main body of the complaint – i.e., the specific grounds and relief sought – is limited to 500 words. No attachments or other documents should be submitted at this stage.

Anonymous complaints or use of pseudonyms are not permitted, but complainants are not required to provide personal information other than their name and a contact phone number or e-mail address. Contact information will be provided to the presiding DRO, who may in turn also provide such information to the group affected by the complaint. Pride Toronto cannot guarantee that names of complainants, or their contact information or complaints, or the results of the DRP, will not become matters for the public record.

Summary Dismissal / Mediation / Arbitration

Complaints that do not contain all of the above required information, are longer than 500 words, or are not submitted by e-mail or by the above deadline will not be considered.

If a complaint is submitted by the deadline and contains all of the required information indicated above, a single DRO will be selected by Pride Toronto by **June 7, 2014**, from

the roster (proceeding alphabetically by surname until the first available DRO is identified) to preside over the dispute, including both the mediation and/or arbitration, as the circumstances may require. A single DRO may be selected to preside over two or more complaints that involve substantially similar issues and/or affect the same group.

The DRO may dismiss a complaint on their own initiative, without requiring further information or submissions, if in their opinion the complaint is frivolous, vexatious, or an abuse of process. For example, a complaint that relates to an issue that has been resolved or adjudicated by a prior DRP, whether involving the same or different group(s) and/or complainant(s), shall be considered an abuse of process and be dismissed.

Otherwise, the mediation and/or arbitration process shall commence **within 3 days of the selection of the presiding DRO**. The contact person for the affected group shall be sent a copy of the complaint upon commencement of the mediation or arbitration process.

The DRO has sole authority to: (1) issue procedural rulings in the mediation and/or arbitration, including the rights of the complainant and the affected group to present information and/or make submissions in writing or in person; and where an arbitration occurs, (2) make findings based on information and submissions; and (3) render a final decision regarding a group's participation in or exclusion from the Pride Parade.

Resolution of Complaints

If the affected group does not participate in the mediation and/or arbitration, the DRP may still continue and the DRO may render a final decision regarding that group's participation in or exclusion from the Pride Parade, which shall be binding on the affected group.

The entire mediation and/or arbitration process in relation to an affected group shall be concluded **no later than June 21, 2014**. If the entire mediation and/or arbitration process is not concluded by the deadline, the affected group shall be permitted to march in or be excluded from the Pride Parade, as was the case prior to the initiation of the complaint(s).

If the mediation and/or arbitration process is concluded by the deadline, the results (and, where an arbitration occurs, any written reasons for the DRO's final decision) shall be published on the Pride Toronto website within 5 days of the conclusion of the process.

There shall be no appeals or further reviews from any outcome of the DRP.

Limitation of Liability

Complainants and affected groups agree that Pride Toronto (including its staff, directors, and volunteers) and the DROs are immune from and not subject to civil claims or causes of action, and no legal proceedings shall be brought against Pride Toronto and/or any DRO, because of or in relation to their role in the DRP or any outcome of the DRP.