

ATHLETE APPEAL PROCEDURE

Any decision made by CYA or its Committees may be appealed by the Athlete to the CYA Board of Directors for a further review. The Board of Directors may appoint a separate Panel of no less than 3 people to review the decision. No member of the Board who's decision is being appealed may sit on the Board or Panel reviewing that decision. Such an appeal to the Board of Directors must be made within 15 days of the athlete becoming aware of the decision he/she is asking to be reviewed. The hearing of appeals made after this 15 day period shall be at the sole and absolute discretion of the CYA Board of Directors. A request to the Board for a review shall be made in writing by the Athlete and addressed to the Executive Director of CYA, with a copy to the President, and such written request shall set out in reasonable detail the grounds on which the Athlete believes that the original decision is wrong and why it should be reviewed by the CYA Board of Directors. The matter shall be reviewed and adjudicated upon by the Board of Directors at its earliest convenience, accounting for any relevant deadlines. The CYA Board of Directors, in its discretion, may request the presence at its meeting of the involved parties, including the Athlete, or may request participation in the meeting by conference telephone call or in any other manner which is reasonable in light of the particular circumstances. The Athlete shall have the right to make submissions to the Board of Directors either in writing, in person, by teleconference or by some other means determined by the Board, which in the discretion of the Board is deemed appropriate. The decision of the CYA Board of Directors shall be communicated to the Athlete in writing by either the Executive Director or the President of CYA.

If an Athlete disputes a decision of the CYA Board of Directors, the Athlete shall be entitled to refer the matter to final binding arbitration co-ordinated by the Sport Dispute Resolution Centre of Canada (SDRCC) except in the case of carding decisions which are subject to the appeal procedure set out in the Athlete Assistance Program Policies and Procedures. In the case of arbitration by SDRCC the arbitration will be conducted in accordance with the arbitration rules provided from time to time by SDRCC, and both the Athlete and CYA agree to execute an arbitration agreement in the standard form requested by SDRCC under its Alternate Dispute Resolution Program. The Athlete and CYA agree that the arbitration panel may receive submissions on costs and make a determination in respect to costs, and both the Athlete and CYA agree that either party may be required to pay the costs of the arbitration of the other party, including reasonable legal fees, as a result of such determination. The Athlete and CYA agree that the decision of the arbitration panel established by the SDRCC shall be final and binding upon the party to this agreement with no further recourse by either party to any court of competent jurisdiction.