

Parade Participation and Dispute Resolution &

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 Board appoints 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.

The DRP is not a legal proceeding. For greater certainty, the DRP will only consider complaints about the participation or exclusion of a group in the Pride parade or March, or an alleged violation of the rules and policies governing participation in the parade or march.

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.

This policy governs all complaints received in the 2017 calendar year.

How do I file a complaint through the DRP?

A complaint must be submitted by e-mail to disputeresolution@pridetoronto.com. The complaint must contain all of the following information:

- a. !the complainant's name and phone number and/or e-mail address;
- 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 elect to proceed by mediation, to be followed by arbitration (if mediation fails), 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 other documents should be submitted at this stage.

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

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.

What are the timelines to submit a complaint?

The list of approved parade participants is posted on Pride Toronto's website on June 1. Complaints about a Pride Toronto approved or excluded participant must be filed by **June 9, but no earlier than June 1**, to address participation in the 2017 parade.

Complaints about the behaviour of a parade or march participant in the parade must be filed within 30 days of the alleged violation.

Who can submit a complaint?

Pride Toronto will only consider complaints from current members of the organization in good standing.

What are the resolution options?

There are three avenues or methods available to make a complaint and seek resolution including:

1. A request for Corrective Action (when not seeking a penalty and within Pride Toronto's authority) – this process is outside of the Dispute Resolution process.
2. A request for Mediation – between the complainant(s) and other parade or march participant(s) in an effort to resolve the complaint. The goal of mediation is to come to a workable solution that leaves both sides in agreement with the resolution.
3. A request for Arbitration - which seeks an independent review of the approval or exclusion of participants in the parade or march, or an alleged violation of the rules and policies governing participation in the parade or march. A complainant may request to start at step one and proceed through the steps, or go directly to Arbitration.

What happens after a complaint is filed?

If a complaint is submitted by the deadline established in a given year and contains all of the required information indicated above, a single DRO will be selected by Pride Toronto from the roster 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 appear to 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 from a complainant or affected group, if in their opinion the complaint is frivolous, vexatious, or an abuse of process. For example, a complaint relating 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 by the DRO 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 provide any information or response or participate in the mediation and/or arbitration, the DRP may still continue and the DRO may nevertheless 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 1 week before the Pride Parade. If the entire mediation and/or arbitration process is not concluded by this deadline, the affected group shall be permitted to march in or be excluded from the Pride Parade, as would be 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 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

In consideration for participating in the DRP process, 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 in relation to the DRP, and no legal proceedings in any form whatsoever shall be brought against Pride Toronto, its staff, directors, and volunteers, and/or any DRO, because of or in relation to their role in the DRP or any outcome of the DRP.