

A message from the Arbitrators Association of British Columbia

The AABC is comprised of qualified individuals who are able to resolve complaints, grievances and other differences using a wide variety of alternative dispute resolution processes.

The most common and well-established alternative dispute resolution processes are arbitration and mediation, and they are often used together. Other processes have gained popularity in recent years in order to address concerns such as cost, efficiency and proportionality. These alternative processes are often designed with the assistance of AABC members to meet the specific circumstances and objectives of the parties, and may include limitations as to both content and conduct. Examples include third party/neutral evaluations, investigations with or without binding recommendations, and respectful workplace mediations.

Arbitration

Arbitration is a process where parties who are unable to achieve their own resolution to a dispute agree on an independent neutral to hear the case and make a legally binding determination on the outcome. The arbitration process may to some extent mirror a court proceeding, as spokespersons make opening statements, adduce evidence through witnesses, and make closing arguments which usually include some reference to previously decided cases. The arbitrator considers the evidence and submissions, and issues an award.

Generally, the arbitration process is less formal, more cost-efficient, and more expeditious in comparison to a court proceeding. Formal pleadings are not required, and additional “motions” with consequential delays are greatly minimized, if not eliminated entirely in the vast majority of cases. Arbitrators often use telephone conference calls and written submissions to resolve pre-hearing and other preliminary matters. Some parties have developed “expedited arbitration” procedures which allow for an even more informal and efficient dispute resolution mechanism.

Boards of arbitration generally consist of a sole arbitrator. Sometimes, the parties to a dispute prefer a three-person panel comprised of a nominee for each side and an agreed on neutral chairperson.

Mediation

Mediation differs from arbitration in that the result is agreed on, not awarded. A mediator serves as an intermediary between the parties, who might not even be together in the same room, in assisting them to reach consensus.

The mediation process is grounded in negotiation, and it invariably involves an exploration of interests, and the translation and assessment of competing positions. The mediator acts as facilitator or “go between” in assisting the parties to reach a resolution. The process itself is flexible and it allows for the parties themselves to craft creative outcomes to satisfy their respective interests.

Med-Arb

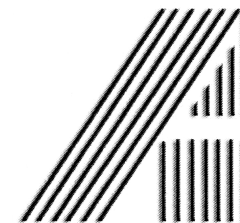
Med-Arb is a process where a neutral third party is appointed to mediate an outcome but, if a mutually agreeable resolution is not reached, the neutral is empowered to decide the matter.

HONORARY MEMBERS

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(contact information available on website)

This brochure was designed and produced internally by members of the Association.

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**ARBITRATORS
ASSOCIATION OF
BRITISH COLUMBIA**

The Arbitrators Association of British Columbia was established in 1980, and remains an independent association of arbitrators and mediators who have demonstrated competence and acceptance in the community, have met the Association’s experience requirements, and are committed to its Code of Professional Conduct and Standards.

AABC members have a broad range of backgrounds and experience as consensual third party neutrals in the resolution of disputes, particularly in the field of labour relations. Members have varying experience in other areas as well, including human rights, employment, commercial and property matters.

As an organization, the AABC facilitates the professional services of its members, and is dedicated to promoting the advancement of arbitration and mediation in British Columbia.

To learn more about the AABC, or to find out when members are available, please check our website:

www.labour-arbitrators.bc.ca

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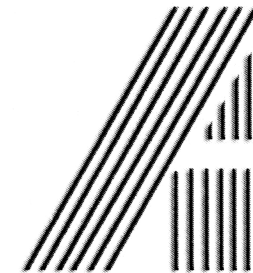
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