

NZIF Mediation and Arbitration Policy

Purpose

This policy establishes a structured process for the mediation and arbitration of disputes within the New Zealand Institute of Forestry (NZIF). It aims to provide a fair, transparent, and efficient mechanism for resolving conflicts in a manner that promotes mutual respect and understanding.

Scope

This policy applies to all NZIF members

Definitions

- **Mediation:** A voluntary process in which a neutral third party (the mediator) assists disputing parties in reaching a mutually acceptable agreement.
- **Arbitration:** A process in which a neutral third party (the arbitrator) makes a binding decision to resolve a dispute after considering the evidence and arguments presented by the parties.

Principles

1. **Confidentiality:** All mediation and arbitration proceedings are confidential. Information disclosed during these processes cannot be used as evidence in any other proceedings.
2. **Voluntary Participation:** Participation in mediation is voluntary. However, once parties agree to arbitration, the decision of the arbitrator is binding.
3. **Impartiality:** Mediators and arbitrators must be impartial and have no conflict of interest regarding the dispute.
4. **Fairness:** All parties involved have the right to present their case and be heard during the mediation and arbitration processes.

Mediation Process

1. **Initiation:** A member wishing to initiate mediation must submit a written request to the NZIF President (president@nzif.org.nz).
2. **Selection of Mediator:** The President will appoint a qualified mediator who is acceptable to all parties involved.
3. **Mediation Sessions:** The mediator will conduct sessions to facilitate discussion and negotiation between the parties. The goal is to reach a mutually acceptable resolution.

4. **Agreement:** If an agreement is reached, the mediator will draft a written agreement, which all parties will sign. This agreement is binding.
5. **Failure to Agree:** If mediation does not result in an agreement, the parties may proceed to arbitration or other legal remedies.

Arbitration Process

1. **Initiation:** A member wishing to initiate arbitration must submit a written request to the Chair of the Fellows committee (fellows@nzif.org.nz).
2. **Selection of Arbitrator:** The Chair will appoint a qualified arbitrator who is acceptable to all parties involved.
3. **Pre-Arbitration Conference:** The arbitrator will hold a conference with the parties to outline the arbitration process and establish timelines.
4. **Arbitration Hearing:** The arbitrator will conduct a hearing where both parties can present evidence and arguments.
5. **Decision:** The arbitrator will issue a written decision within a specified timeframe. This decision is final and binding on all parties.
6. **Implementation:** The parties must comply with the arbitrator's decision.

Rights and Responsibilities

- **Parties:** Parties have the right to representation, the right to present evidence, and the responsibility to act in good faith.
- **Mediators and Arbitrators:** Mediators and arbitrators have the responsibility to conduct proceedings impartially and fairly and to ensure confidentiality. Mediators and Arbitrators will be compensated at their agreed rate by the Parties

Review and Amendments

This policy will be reviewed annually and may be amended as necessary to ensure its effectiveness and alignment with best practices.

Next review August 2025