



Perry Johnson Registrars CDM

Dispute/Appeal Procedure

Any effective system must have a means for allowing a party which feels it has been unjustly treated to present its case for redress to an impartial panel. PJRCDM relies upon CDM Program Manager (CDMPM) to appoint a committee to hear dispute and appeal requests. This procedure defines how an interested party can present an argument for reversal of a decision with which it disagrees.

Prepared by: _____

Reviewed and
Approved by: _____

Date: _____

DISPUTE/APPEAL PROCEDURE

1. General

- 1.1 Purpose: To set forth a process whereby organizations can receive a fair and equitable handling of disputes and a process by which organizations can appeal decisions made by PJRCDM.
- 1.2 Scope: All organizations doing business with PJRCDM in the context of PJRCDM validation/validation.
- 1.3 Definition:
- “Appeal”:
Request by the PJRCDM client to PJRCDM for reconsideration by PJRCDM of a decision PJRCDM has made relating to the object of validation or verification. (ISO/IEC 17000:2004, 6.4)
- “Complaint”:
Expression of dissatisfaction, other than “appeal,” by any person or organization, where response is expected. (ISO/IEC 17000:2004, 6.5)
- “Dispute”
A disagreement or argument between PJRCDM client and PJRCDM about a decision PJRCDM has made relating to the object of validation or verification.

2. Related Procedures, Definitions, Exhibits

- 2.1 PJR-1cdm Quality Manual
- 2.2 PRO-1cdm Validation/Verification Procedure
- 2.3 PRO-9cdm Complaint Procedure

3. Responsibilities

- 3.1 The chairperson of the appropriate committee will be appointed by CDMPM from PJRCDM's senior officers and/or Technical Experts and will have the responsibilities and authority for dispute and appeal activities.

4. Procedure

Disputes

- 4.1 In all disputes CDMPM will obtain the pertinent information from interested parties. Then CDMPM and his/her appointed committee (Dispute Committee) will evaluate the dispute in light of PJRCDM policies and applicable rules. They will use all reasonable efforts to resolve the dispute. If the dispute cannot be resolved, CDMPM will advise the interested parties of their right to appeal the dispute decision.
- 4.1.1 Personnel, including management, should not be employed to investigate any dispute if they have been directly involved in the dispute within the past two years.
- 4.1.2 All disputes are dealt with in a constructive and timely manner. Where the operation of such procedures has not resulted in the acceptable resolution of the matter or where the proposed procedure is unacceptable to the complainant or other parties involved, CDMPM provides the following, in writing, to the party submitting the dispute:
- the opportunity for a formal appeal;
 - provision of a third-party involvement or other means to ensure the impartiality of the dispute;

- provision to the disputing party of a written statement of the dispute findings including the reasons for the decisions reached.

PJRCDM ensures that all interested parties are made aware, as and when appropriate, of the existence of the appeals/dispute process and the procedures to be followed.

Appeals

- 4.2 If an entity wishes to appeal the dispute decision, it must submit a formal written appeal within 15 days. Once the appeal is received, PJRCDM initiates steps necessary to appoint the Appeal Committee.
- 4.3 The Appellant selects an advocate to represent its case and forwards the name, in writing, to the President.
- 4.4 The President selects an appropriate advocate to represent the position of PJRCDM.
- 4.5 The Appeal Committee shall meet and elect a chairperson (this can be done by teleconference). The chairperson verifies that the full committee has all needed information regarding the appeal and all other pertinent information.
- 4.6 The chairperson notifies the appellant and the PJRCDM advocate of the make-up of its Appeal Committee, giving either party the opportunity to state objections to the Appeal Committee as constituted. If there are objections, the chairperson of the Appeal Committee will decide on the final make-up of the Appeal Committee.
- 4.7 The Appeal Committee meets at a place and time of mutual consent and holds a private meeting to discuss the merits of the Appellant's case or via teleconference. They will be supplied with any documentation that pertains to the appeal. They may request objective evidence from either side for examination and discussion, such as: relevant documents, PJRCDM procedures, etc. Appellant and PJRCDM advocate are given the opportunity to present whatever evidence and/or oral argument they deem necessary.
- 4.8 At such point as the Appeal Committee believes it has exhausted avenues of consideration, it takes a secret vote in writing. Decisions are reached by a simple voting majority. The ballot shall provide for a vote to affirm the PJRCDM decision under appeal or a vote to reverse said decision.
- 4.9 The Appeal Committee drafts a brief setting forth its decision, including whatever information it feels is worthwhile to disclose, and supplies the appellant's advocate and the PJRCDM advocate with a copy. The Appeal Committee is under no obligation to disclose details of its deliberations.
- 4.10 The decision of the Appeal Committee is forever binding in the matter under appeal.
- 4.11 The Appeal Committee shall issue its brief no longer than 30 days after the President receives in writing that name of the Appellant's advocate.
- 4.12 Should the appellant still be dissatisfied after having gone through the Appeals process as described in Section 4, then PJRCDM is compelled to advise the appellant of the right to appeal to the appropriate authority.

5. Records

- 5.1 Records are kept of all disputes, the Appeal Committee selection process, and the Appeal Committee decision for a period of five years.

6 Additional actions

- 6.1 PJRCDM recognizes protests and appeals as a source of data signaling a need for personnel re-training or additional follow-up actions. The CDMPM or designee is responsible for ensuring that auditor re-training and follow-up activities occur and their effectiveness is verified.