

POLICY: APPEALS / DISPUTE RESOLUTION

In cases where a dispute arises that cannot be solved, the following process must be followed:

1. Request to the CEO for reconsideration
2. Formal appeal to the *Industry Training Appeal Board* (after pursuing a request to the ITA for reconsideration)

1.0 Request to the ITA for Reconsideration

A request for reconsideration must be made within 30 calendar days of when the requestor received written notice of the decision being disputed.

A request to the ITA for reconsideration of a decision must be made in writing and include the following information:

- the decision to be reconsidered including a written copy of this decision if available;
- a description of the reasons the reconsideration is being requested, and;
- full contact information for the requestor.

The ITA will confirm receipt of the request within 7 days and indicate to the requestor how the reconsideration will be carried-out.

If the requestor is not satisfied once the CEO issues a decision on the request for reconsideration, a formal appeal to the Industry Training Appeal Board may be initiated.

2.0 Formal Appeal to the Industry Training Appeal Board

Requestors may only file an appeal to the *Industry Training Appeal Board* if resolution of one of the following issues was already attempted through a request to the ITA for reconsideration:

- a refusal by the authority to award an industry training credential or industry training recognition credential
- the suspension or cancellation of an industry training credential or industry training recognition credential
- a refusal to register an individual as an apprentice / trainee
- the cancellation of the registration of an individual as an apprentice / trainee
- the revocation of, or cancellation of the registration of an industry training agreement

An appeal of the CEO's determination is made by filing a Notice of Appeal in the form provided by the minister.

The Notice of Appeal must be received within 30 days of when the requestor received notification of the decision regarding the request for reconsideration. The CEO of ITA will advise the ITA Board of Directors of any appeals received by the Industry Training Authority Appeal Board.

The *Industry Training Appeal Board* may do one or more of the following in respect of an appeal:

- dismiss the appeal;
- allow the appeal and give directions, if any, that the appeal board considers appropriate in the circumstances;
- vary the decision appealed from;
- set terms and conditions to which the order is subject.

Approved: 10.Nov.04

Updated: 01.Feb.06
21.Sep.07

06.Nov.08