Appeal Policy Flowchart

Appellant files appeal with Association

Screening of Appeal

- 1. Association requests services of a Case Manager
- 2. The Case Manager will determine if the complaint:
 - a) Falls under the scope of this Policy
 - b) Was submitted in a timely manner
 - c) Whether there are sufficient grounds for the appeal

Appeal Dismissed

- 1. The Appeal is dismissed if the Case manager determines:
 - a) Not within the scope of the appeal policy
 - b) Not submitted in a timely manner (14 days) of required deadline without extension or approval
 - c) Insufficient grounds for appeal

Appeal to Proceed

 The Case Manager will propose to the parties the Dispute Resolution Policy with the objective of resolving the dispute.

Appeal Hearing Procedure (Alternate Dispute Resolution Unsuccessful or Denied)

- 1. The Case Manager:
 - a. Appoint the Appeal Panel
 - b. Will, in cooperation with the Panel, decide the format of the appeal hearing
 - c. Provide notice of the hearing
 - d. Ensure all evidence and submissions are disclosed to all parties and the Panel
 - e. Set all timelines
- 2. The Panel:
 - a. May request other individuals participate in the hearing
 - b. Will determine what is or is not evidence
 - Will render a written decision within 14 days to the Case Manager who will distribute the decision as necessary
- 3. The Panel's decision will:
 - a. Reject the appeal
 - b. Uphold the appeal and refer the matter back to the initial decision-maker for a new decision
 - c. Uphold the appeal and vary the decision
- 4. The Panel's decision is not appealable.

Alternate Dispute Resolution Policy

- Opportunities for dispute resolution may be pursued at any point in a dispute (except prior to any decision of an Adjudicator/Panel), upon the consent of the parties.
- 2. The Case Manager will:
 - Facilitate the appointment of a mediator or facilitator, upon the consent of the parties.
 - b. Appoint a mediator or facilitator.
- 3. The mediator/facilitator will decide the format for mediation and/or facilitation.
- If a negotiated decision is reached, the decision will be reported to and approved by the Association.
- If a negotiated decision is not reached, the appeal will be referred back to an Appeal Hearing Procedure.