



## Dispute and Appeal Procedure

Any effective system must have a means for allowing any interested party which feels unjustly treated to present its case for redress to an impartial panel. PJLA relies upon its Top Management to appoint a Special 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.



# Dispute and Appeal Procedure

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## 1.0 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 PJLA.
- 1.2 Scope: All interested parties of PJLA

## 2.0 RELATED PROCEDURES, DEFINITIONS, EXHIBITS

- 2.1 ISO/IEC 17011:2017
- 2.2 IPL-2, Quality Manual
- 2.3 IPL-1, By-Laws
- 2.4 SOP-1, Accreditation Procedure
- 2.5 SOP-5, Quality Records Procedure
- 2.6 SOP-9, Complaint Procedure
- 2.7 SOP-11, Suspension, Withdrawal and Reduction of Accreditation Procedure

## 3.0 RESPONSIBILITIES

- 3.1 In accordance with IPL-1, By-Laws, the members of the Board of Dispute and Appeal shall be appointed by PJLA's Top Management.
- 3.2 Top Management will ensure that the members of the Board of Dispute and Appeal are competent and independent of the subject of the dispute or appeal. If a dispute is appealed, then separate board members will be selected to ensure impartial decisions are made.

## 4.0 DISPUTE PROCESS

- 4.1 In all disputes, the President will obtain the pertinent information from interested parties, evaluate the dispute in light of PJLA policies and applicable standards and will use all reasonable efforts to resolve the dispute.
- 4.2 If the President determines that the dispute is valid then a subcommittee will be developed. This should consist of at least two parties. The disputing party will be notified that the dispute has been accepted and being assigned to a committee for resolution.
- 4.3 Committee members will be provided with the reason for the dispute and any supporting documentation. Dispute decisions should be responded to within the date provided by PJLA and clearly identify the reasoning for the decision. If the two committee members have contradicting decisions,



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then a third reviewer will be assigned. Once committee members reach a decision, the President will provide the disputing party with the resolution. At this time, the President will inform them that they have the right to appeal the decision made.

- 4.4 Disputes shall be submitted within 14 calendar days of the occurrence (e.g. receipt of the nonconformity report, notice date of suspension or withdrawal).

### 5.0 APPEAL PROCESS

- 5.1 The Top Management initiates steps necessary to appoint an ad-hoc committee serving as a Board of Appeal pursuant to the By-Laws (IPL-1) and in accordance with ISO/IEC 17011:2017. The board of appeal shall consist of a chairperson and two other board members representing each party. All board members shall have the competency relative to the appeal. This could be a combination of PJLA accreditation criteria, the conformity assessment body's scope of activities and applicable accreditation program standard knowledge.
- 5.2 The Appellant selects an advocate to represent its case and forwards the name, in writing, to the President. If the appellant requires assistance finding representation, then the President may assist. The appellant will be provided with the name of this representative and has the right to reject the representative if they feel that the representative has any conflict of interest to represent their case.
- 5.3 The President selects an appropriate advocate to represent the position of PJLA as well as a chairperson
- 5.4 The chairperson notifies the appellant of the composition of its Board of Appeal, giving them the opportunity to state objections to the Board of Appeal as constituted. If there are objections, the chairman of the Board of Appeal, in consultation with the President, will decide on the final composition of the Board of Appeal.
- 5.5 The Board of Appeal shall ensure that it has all information regarding the appeal and all pertinent information
- 5.6 The Board of Appeal meets at a place and time of mutual consent and holds a private meeting to discuss the merits of the Appellant's case. They may request additional objective evidence from either side for examination and discussion. The appellant and PJLA advocate are given the opportunity to present whatever evidence and/or oral argument they deem necessary.



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- 5.7 At such point as the Board of Appeal believes it has exhausted avenues of consideration, it takes a secret vote in writing. Decisions are reached by simple voting majority. The ballot shall provide for a vote to “Affirm” the PJLA decision under appeal or a vote to “Reverse” said decision.
- 5.8 The Board of Appeal drafts a brief setting forth its decision, including whatever information it feels is worthwhile to disclose, and supplies the appellant’s advocate and the PJLA advocate with a copy. The Board of Appeal is under no obligation to disclose details of its deliberations.
- 5.9 The decision of the Board of Appeal is binding in the matter under appeal.
- 5.10 Investigation and decision on appeals shall not result in any discriminatory actions.
- 5.11 The Board of Appeal shall issue its brief no more than 30 days after the President receives in writing that name of the Appellant’s advocate.
- 5.12 Follow-up actions, when required, are overseen by the President

### **6.0 RECORDS**

- 6.1 Records are kept of all disputes, the Board of Appeal selection process, and the Board of Appeal decision are maintained in accordance with SOP-5.