



**CCIL PROCEDURE FOR THE SUSPENSION, WITHDRAWAL,
APPEALS, AND DISPUTES OF CERTIFICATION**

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Copies of the procedure are available on request from the CCIL Certification Office.

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1.0 Purpose and Scope

The purpose of this procedure is to outline the process CCIL will follow in issuing suspension and withdrawal of certification for non-conformance with certification requirements, appeals, and disputes of certification decisions and for nonpayment of fees. Refer to Clause 7.0 of CCIL Laboratory Certification (LC) Document LC-102 or Clause 4.3.8 of LC Document LC-101.

2.0 Definitions

Appellant – any laboratory which is making an appeal against a decision made by CCIL relating to a complaint.

Appeal – any request by a laboratory for reconsideration of a decision made by CCIL relating to certification or a complaint.

CPAC – Certification Program Administration Committee.

Dispute – a written disagreement with an appeals decision and the appellant's desire for a second level of review of the appeal.

Suspension – Suspension of a laboratory's certification, as defined in CCIL procedures, by the Certification Program Manager.

Laboratory – Where the term laboratory is used it refers to certified laboratories only.

Technician - Where the term technician is used it refers to certified technicians only.

Withdrawal – Withdrawal of a laboratory certification as defined in CCIL procedures by the Certification Program Manager.

3.0 Responsibility

The CCIL Board of Directors is responsible for the approval and maintenance of this procedure and the Certification Program Manager is responsible for implementation of this procedure.

4.0 Suspension and Withdrawal

4.1 A laboratory shall facilitate follow-up inspection activities as specified by CCIL, to establish the laboratory's right to continue to be certified and use the CCIL certification logo. Failure to facilitate follow-up inspections may result in suspension of certification.

4.2 As a result of an on-site inspection or a complaint investigation, any certified laboratory or certified technician found not to comply with the requirements of the certification program requirements will be requested in writing (Compliance Report) to take appropriate corrective action. If the laboratory or technician fails to take corrective action and rectify all non-

conformances within thirty (30) calendar days of the issue of the compliance report, the laboratory's or the technician's certification is subject to suspension by the Certification Program Manager until the laboratory or technician demonstrates that all non-conformances have been corrected and verified by the Certification Program Manager. Failure of a laboratory or technician, under suspension, to satisfactorily resolve all non-conformances within six months will result in the withdrawal of certification. Once certification is withdrawn, the laboratory will be removed from the List of Certified Laboratories on the CCIL website.

- 4.3** If a laboratory or technician is found not to comply with the requirements of the certification program for reasons other than the result of an on-site inspection, such as the investigation of a complaint, the laboratory or technician will be notified in writing and asked to take corrective action. If the laboratory or technician fails to take the corrective action within 30 days of notification, the certification is subject to suspension by the Certification Program Manager until the requested action has been completed and verified by the Certification Program Manager. Failure of a laboratory or technician, under suspension, to satisfactorily resolve all nonconformances within six months may result in the withdrawal of certification. Once certification is withdrawn, the laboratory will be removed from the List of Certified Laboratories on the CCIL website.
- 4.4** Upon suspension of the certification, CCIL will update the List of Certified Laboratories, on the CCIL website, to indicate that the certification has been suspended.
- 4.5** Where a certified laboratory fails to meet the same technical requirements for certification, including competence, or to abide by the requirements for certification, or indicates that it is not able to continue to meet the requirements for certification, for two consecutive audits, the CCIL Certification Program Manager may make recommendations for a decision by CPAC for withdrawal of the laboratory's certification according to the document "CCIL Procedure for Failure of Laboratories or Technicians to Comply with CCIL Certification Requirements".
- 4.6** Once a laboratory's certification has been suspended, re-instatement can only occur after the nonconformances have been corrected. The verification of the correction of the nonconformances may require a re-inspection.
- 4.7** Withdrawal of certification will not preclude a laboratory from applying for certification at a future date.
- 4.8** Lack of timely payment of outstanding fees is also grounds for suspension and withdrawal of a laboratory's certification. Failure of a laboratory to pay the fees within 90 days of the invoice being issued, may result in the suspension of the laboratory's certification by the Certification Program

Manager. If the outstanding invoice is not paid within six months of the issue of the invoice, it may result in the withdrawal of the laboratory's certification by the Certification Program Manager.

- 4.9** Laboratory certification suspension for nonpayment of fees shall be reinstated by the Certification Program Manager if the laboratory:
- Pays all outstanding fees, in full, and
 - Pays an administration fee as set by the CCIL Certification Office.
- 4.10** Once a laboratory's certification has been withdrawn for reasons other than nonpayment of fees, certification can only be reinstated if the laboratory:
- Pays all outstanding fees in full,
 - Pays an administration fee as set by the CCIL Certification Office, and
 - Files an application for recertification of the laboratory that may be subject to the current requirements for new laboratories.
- 4.11** Any laboratory that has their certification withdrawn, due to lack of payment of fees, will be required to pay all fees for services, including certification, inspection and technician testing fees, in advance before the services are delivered. This requirement will apply for a period of two years in order to establish a satisfactory credit rating with CCIL Certification Office.
- 5.0 Appeals**
- 5.1** The laboratory has the right to appeal certification decisions, such as those for the suspension or withdrawal, within five (5) business days of being advised of the decision, in person or by appropriate telecommunications to the Certification Program Manager. The Certification Program Manager shall instruct the appellant to provide a written appeal along with a comprehensive report outlining the justification for the appeal.
- 5.2** The CCIL Administrative Assistant shall assign the appropriate reference number to the appeal and track the appeal to completion using the Appeal/Dispute Tracking Form – Appendix 2.
- 5.3** The Certification Program Manager will forward the appeal to the Chair of the CPAC who will convene a subcommittee made up of a minimum of three (3) members of the CPAC to hear the appeal within thirty (30) days of receipt of the Appeal. The Chair of the CPAC will assign one member of the Appeals Subcommittee to act as Chair of the subcommittee. The Certification Program Manager will advise the Chair of the CPAC of any potential conflict of interest at the time the appeal is forwarded. The appellant will present the appeal to the subcommittee in person or by appropriate telecommunications. The Certification Program Manager will attend the Appeals Hearing. The Chair of the Subcommittee prepares an

Appeal/Dispute Report Form. The laboratory will be notified in writing on the decision of the subcommittee within five (5) business days of the appeal hearing. Appendix 3 outlines the process that will be followed in conducting the Appeals Hearing.

- 5.4** If the appeal pertains to a suspension or withdrawal of certification and the subcommittee decides that reinstatement of certification is justified, the certification status will be re-instated and, if necessary, a certificate will be re-issued and the company's name will appear on the CCIL List of Certified Laboratories on the CCIL website. If the subcommittee supports the decision for suspension or withdrawal of certification, the laboratory or technician will be advised that a second level final appeal (dispute mechanism) is available.
- 5.5** The Certification Program Manager shall secure a copy of:
- (a) the Appeals Subcommittee's ruling on the case, via the Appeal/Dispute Report Form,
 - (b) any additional presentations made by the appellant and any other relevant party, and
 - (c) the appellant's signed statement of acceptance of the ruling (see Appendix 1: Appeal/Dispute Report Form), if the appellant accepts the decision. These shall be attached to a report prepared by the Certification Program Manager.
- 5.6** All records generated by the appeals process will be kept with the Appeals and Laboratory Certification files.
- 5.7** The CCIL Administrative Assistant shall update records to indicate the resolution of the appeal.
- 5.8** Any documents, which arise from the appeal process, shall be attached to a report/update prepared by the Certification Program Manager.
- 5.9** Where the appellant does not agree with the ruling given by the Appeals Subcommittee, the procedure for dispute as described in Clause 6.0 of this procedure shall be followed.
- 5.10** Notwithstanding the foregoing, if the basis for an appeal by a laboratory is solely related to suspension or withdrawal of certification because of a lack of payment of outstanding fees, the appeal process shall be by-passed and the matter shall be treated as a dispute and forwarded to the Executive Committee for resolution as described herein.
- 6.0 Disputes**
- 6.1** Where the appellant expresses non-acceptance of the ruling given by the Appeals Committee, the Certification Program Manager shall obtain a written request for a dispute along with a comprehensive report from the

- appellant outlining the justification for the dispute, within ten (10) business days and place copies in the company's file.
- 6.2** The CCIL Administrative Assistant shall assign the appropriate reference number to the dispute and track the dispute to completion using the Appeal/Dispute Tracking Form – Appendix 2.
- 6.3** The Executive Committee is responsible for all Disputes. The Certification Program Manager shall submit a copy of the Appeals Subcommittee's ruling on the case, along with the appellant's non-acceptance documents to the Executive Committee. In cases where the appeals process was by-passed as the suspension or withdrawal of certification was solely due to nonpayment of fees, the Certification Program Manager will submit the written dispute request and comprehensive report to the Executive Committee. The Executive Committee will convene a Dispute Committee made up of a minimum of three (3) members of the Board of Directors with experience in Construction Materials Technology. The Chair of the Executive Committee will assign one member of the Dispute Committee as Chair. The Dispute Committee will hear the dispute within thirty (30) days of the notice of dispute. Appendix 4 outlines the process that will be followed in conducting the Dispute Hearing. The appellant will have the right to present the Dispute in person. The Certification Program Manager will advise the Executive Committee of any potential conflict of interest at the time the dispute documents are forwarded.
- 6.4** The laboratory will be notified in writing on the decision of the Dispute Committee within five (5) business days of the dispute hearing and the decision will be final and binding.
- 6.5** The CCIL Administrative Assistant shall update records to indicate the resolution of the Dispute (see Appendix 1: Appeal/Dispute Report Form).
- 6.6** Any additional documents, which arise from the case of Dispute, shall be attached to an Appeal/Dispute Report Form prepared by the Dispute Committee and submitted to the Certification Program Manager.
- 7.0** **Costs and Liabilities**
All costs related to the appeals and disputes mechanisms shall be borne by the appellant.

CCIL, its staff, contractors, and committee members shall not be liable for damages, of any nature, howsoever caused as a result of suspension or withdrawal of certification of a laboratory.

Withdrawal of certification will not preclude a laboratory or technician from applying for certification at a future date.

Appendix 1 - Appeal/Dispute Report Form

1. Appeal/Dispute No.: _____ 2. Date received: _____ 3. Recorded by (CCIL Personnel): _____

4. Appellant (Company or Individual): _____

(a) Contact Person: _____

(b) Address: _____

(c) Telephone Number: _____ (d) Fax Number: _____

(e) E-mail: _____

5. Clear description of Appeal/Dispute:

Appellant's Name: _____

Appellant's Signature: _____

6. Date & Decision of CPAC/Executive Committee:

7a. Appellant Accepts Decision: Appellant's Name: _____

Date: _____

Appellant Rejects Decision: Appellant's Signature: _____

8b. **To be completed on official instruction from CCIL Certification Office only**

I hereby agree to comply with the decision(s) given to me by the CCIL Certification Office on the (date) _____, as a settlement of the appeal/dispute stated above.

Name: _____ Signed in the presence of: _____
(CCIL Certification Office Personnel)

Date: _____

FOR OFFICIAL USE ONLY

9a. Decision(s) made on any deficiency identified from the appeal, dispute or other:

9b. Date of settlement & reference document(s):

10. Corrective Action & Schedule for Implementation:

11. Results of Corrective Action:

12. Effectiveness of Corrective Action:

13. Certification Program Manager's Comments:

14. Certification Program Manager's Name:
Date:

Signature:

Appendix 2 – Complaint/Appeal/Dispute Tracking Form

Case Identifier (Prefix C= Complaint A=Appeal D=Dispute followed by sequential number)	Date Received	Responsibility	Outcome	Date of Resolution	Further Action Required

Appendix 3 - Appeals Hearing Process

- 1.0** As described in Section 5.3, the Chair of the CPAC will assign the three (3) person subcommittee to hear the appeal. The Chair of the CPAC will also appoint one of the three members to Chair the Appeals Hearing.
- 2.0** In preparations for the appeal, the appellant must submit the appeal with arguments in writing to support the appeal to the Certification Program Manager at least two (2) weeks before the date of the Appeals Hearing.
- 3.0** The Certification Program Manager will forward the written appeal and supporting arguments from the Appellant along with a written report from the Certification Program Manager to the members of the Appeals Subcommittee at least one week before the Appeals Hearing.
- 4.0** The Chair of the Appeals Subcommittee shall preside over the hearing.
- 5.0** Only one representative of the appellant will be permitted to present the case for appeal. The Certification Program Manager shall represent the CCIL Certification Office. Other representatives of the appellant and the CCIL Certification Office may attend the meeting but cannot address the Appeals Subcommittee.
- 6.0** The Chair will open the appeal hearing by ensuring that both the appellant and CCIL Certification personnel are aware of the process to be followed and describe how and when the decision will be rendered.
- 7.0** The Chair will request the Certification Program Manager to describe the reasons for the decision made and the actions taken to date to resolve the issue.
- 8.0** The Chair will request the appellant to present the case for the appeal.
- 9.0** The Chair will invite the appellant and the CCIL Certification Program Manager to make counter arguments.
- 10.0** Once the members of the Appeals Subcommittee are satisfied that they have sufficient information, the Chair will notify the appellant and CCIL Certification Program Manager that the decision will be rendered in writing to both the appellant and CCIL Certification Office within five (5) business days and then close the hearing.

Appendix 4 - Dispute Hearing Process

- 1.0** As described in Section 6.3, the Executive Committee is responsible for Disputes. The Chair of the Executive Committee will assign a three (3) person committee to hear the dispute and appoint one of the three members as Chair.
- 2.0** The appellant must submit the request for a dispute hearing with arguments for not accepting the Appeals Subcommittee's ruling in writing.
- 3.0** The Certification Program Manager will forward the written dispute and supporting arguments from the Appellant along with a copy of the Appeals Subcommittee's ruling on the case, when applicable, to the Executive Committee at least one week before the Dispute Hearing.
- 4.0** The Chair of the Dispute Committee shall preside over the Dispute Hearing.
- 5.0** Only one representative of the appellant will be permitted to present the case for dispute. The Chair of the Appeals Subcommittee and/or the Certification Program Manager shall represent the CCIL Certification Office. Other representatives of the appellant and the CCIL Certification Office may attend the hearing but cannot address the Dispute Committee.
- 6.0** The Chair will open the dispute hearing and ensures that both the appellant and CCIL Certification Personnel are aware of the process to be followed and describe how and when the decision will be rendered.
- 7.0** The Chair will request the CCIL Personnel to describe the reasons for denying the appeal, when applicable.
- 8.0** The Chair will request the appellant to present the case for the dispute.
- 9.0** The Chair will invite the appellant and the CCIL Personnel to make counter arguments.
- 10.0** Once the members of the Dispute Committee are satisfied that they have sufficient information, the Chair will notify the appellant and the CCIL Personnel that the decision will be rendered in writing to both the appellant and CCIL Certification Office within five (5) business days and then close the hearing.
- 11.0** Any additional documents, which arise from the case of dispute, shall be attached to an Appeal/Dispute Report Form prepared by the Dispute Committee and submitted to the Certification Program Manager.
- 12.0** The decision of the Dispute Committee is final and binding.