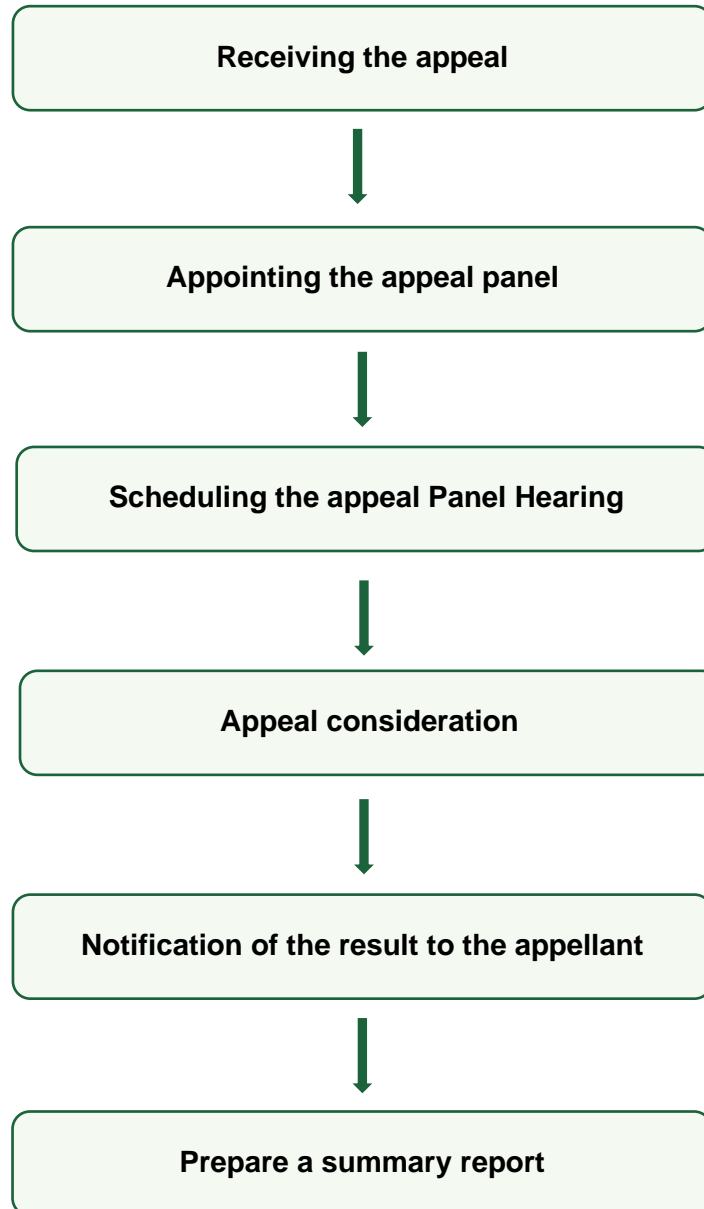


## APPEAL PROCEDURE



## **1.0 Receiving the appeal**

Upon receipt of a written appeal, the CEO of NIOSHCert shall task the General Manager or another designated individual to gather and verify all necessary information for evaluation the validity of the appeal. Then, a written appeal shall be given to the Sustainability Division for officially register. The Appellant shall be notified of the receipt of the appeal and that it is being evaluated. The notification shall be sent to the appellant within 7 working days of the date of its receipt.

## **2.0 Appointing the Appeal Panel**

2.1 After gathering and verifying all necessary information for evaluation the validity of the appeal, the CEO of NIOSHCert shall appoint 3 people to be members of an Appeal Panel. One of the 3 members of the Appeal Panel shall be appointed as the chairperson. The members of the Appeal Panel shall be independent and have no conflict of interest with the appeal in any way according to CAS 04 Procedure for Independence, Impartiality and Confidentiality.

2.2 MSC Manager shall assume the non-voting role of the secretary of the Appeal Panel. The secretary of the Appeal Panel shall notify the appointment of the Appeal Panel to the appellant for concurrence, and inform other concerned parties.

## **3.0 Scheduling the Appeal Panel Hearing**

The secretary of the Appeal Panel shall schedule the Appeal Panel Hearing within 20 working days of the date of an appeal receipt. The appellant shall be notified of the date, time and place of the hearing at least 5 working days before the hearing.

## **4.0 Appeal consideration**

4.1 The Appeal Panel has the right to hear the explanations from the witness and/or consult with external technical experts and/or take any measure and/or any actions, including arranging meetings as necessary to make right decision.

4.2 NIOSHCert personnel and external technical experts who are related to the appeal shall provide all requested information to the Appeal Panel and shall not withhold or conceal any parts of that information.

4.3 The members of the Appeal Panel shall hold in confidentiality all information generated during the appeal process related to the appellant's business/organization.

4.4 Judging the appeal.

4.5 The Appeal Panel shall judge the appeal with fairness by using a majority rule voting process. The appeal process shall be completed within 45 working days of the date of an appeal receipt.

4.6 Every Appeal Panel member shall sign the appeal decision.

4.7 The secretary of the Appeal Panel shall notify the decision with explanation to the President within 5 working days from the date of decision.

## **5.0 Notification of the result to the appellant**

5.1 The appellant shall be notified of decision with explanation by the CEO of NIOSHCert or General Manager or MSC Manager Manager within 10 working days from the date of decision.

5.2 In case the appellant is not satisfied with the decision of the appeal panel, NIOSHCert shall inform the appellant that it has an option of complaining to the Appeal Panel.

5.3 Documentary evidence of actions taken is to be included with the records of the original appeal or dispute.

## **6.0 Prepare a summary report**

6.1 The secretary of the Appeal Panel shall prepare a summary report and inform all concerned parties of any actions that need to be taken as a result of the decision.

6.2 If the investigation points towards a non-conformance, MSC Manager and MSC Technical Officer shall take corrective action according to CAP 09 Corrective and Preventive Action Procedure, and prepare an appeal handling summary report for management review according to CAP 07 Management Review. The cost for conducting an appeals procedure shall be covered by the appellant. The secretary of the Appeal Panel will inform Corporate Division (Finance Unit) for an appeals fee billing except in case the appealing applicant is given right.