

Client Services Procedure Manual

Procedure: 84.00
Subject: Certification Training Appeals

Training providers and trainers are entitled to appeal WorkplaceNL decisions. The purpose of the review process is to ensure that decisions of the operating department are fair, reasonable, and consistent.

1. Initiating a Request

All appeals must be made in writing within 30 days of receipt of a written decision from WorkplaceNL. A request for an appeal shall be sent to:

Manager, CEO Safety Charter and Certification Training
WorkplaceNL
P. O. Box 9000
St. John's NL A1A 3B8

A review is considered on the basis of written evidence contained in the request for appeal. Evidence may be submitted in any form, including admissions of fact by counsel, handwritten statements by the parties themselves, business records, and sworn affidavits.

2. Review Process

Appeals will be assessed by a review committee consisting of the Executive Director, Employer Services; Director, Prevention Services; and the Director, Policy, Research and Internal Review. The review committee will convene within two weeks of receipt of an appeal request. The committee will review all statements of fact and, where appropriate, gather additional evidence to render a final decision.

3. Hearing

The appellant may submit a written request outlining the necessity for an oral hearing to provide further clarification of facts. It is the aim of WorkplaceNL to render fair and just decisions with as little delay as possible. Therefore, at its discretion, WorkplaceNL may convene a hearing if there is significant dispute regarding relevant facts.

4. Written Decision

The review committee will send a written decision to the training provider or trainer upon conclusion of the review. WorkplaceNL's final decision will be provided within 45 days of the appeal request. If additional time is required the appellant will be notified in writing.

5. Finality of the Decision

Decisions made by the review committee are not subject to WorkplaceNL Internal Review and are not reviewable by the Workplace Health, Safety and Compensation Review Division (WHSCRD).

Reference: *Workplace Health, Safety and Compensation Act, Section 20.2*
Policy HS-03, Occupational Health and Safety Certification Training

Amendment History

Original Effective Date 2018 05 08