

December 12, 2013

**prescribed series of progressive
appropriate course of action.**

**All persons involved in processing
th ASC Board and Committees,
Group C members will keep confidential
Complaint and its resolution and**

**Allegations or Complaints involving
Certification Program Participants**

Definitions

Allegation: An informal request for action from any party with knowledge of activities by a Program Participant that are alleged to be in violation of Program requirements. Submission of written substantiating information is not required.

Basis: Matters that are the proper subject of an

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Program Participant: The legal entity responsible for the certified facility or company against which an informal Allegation or formal Complaint has been submitted.

Procedure

Should the *Ombudsman* recommend suspension or revocation of the *Program Participant's* certification, or should the *Program Participant* object to any other aspect of the *Ombudsman's* report, the *DRB* will select and convene a CRTG, elevating the disciplinary action to Level 3.

Level 3 CRTG Investigation and Action: The AISC President will notify the *Participant* of the names of the individuals selected for the CRTG. The *Participant* will have seven days to object to any individual selected for the CRTG. If no objection is received it will be presumed that the *Participant* has no objection to the participation by any member of the CRTG and the CRTG Investigation will proceed.

CRTG Investigation: The CRTG is charged with the responsibility of fully investigating the merits of the Complaint; and shall proceed as follows:

1. The *DRB* will provide each member of the CRTG a complete package containing all documents and reports of the Allegation or Complaint from its inception through Level 2.
2. The *Complainant* and the *Participant* shall be given 30 days from the date of final constitution of the CRTG to provide such additional information to the CRTG as either feel may be necessary to justify their position.
3. The CRTG shall review this information, and may request additional information from the *Complainant, Participant, Ombudsman,* or Program as required. The CRTG, within its discretion, may also choose to ask the *Complainant* and *Participant* to make informal, verbal presentations to the CRTG to clarify the issues involved.
4. The CRTG may request that a special audit of the *Participant* be performed with or without prior notice. The audit may include a full review of the *Participant's* quality management system following applicable certification criteria. This may include, but is not limited to, observations, interviews with company personnel, review of specific project requirements from the Allegation or Complaint and review of company records. If so directed by the CRTG, the auditor may review *any* certification elements, not just elements related to the Basis of the Allegation or Complaint. AISC will bear the cost of any special audit requested by the CRTG.

During the Level 3 investigation process communication between the CRTG and the *Complainant* and *Participant* will be limited to matters necessary to investigate and evaluate the Complaint.

CRTG Recommendation: Upon completion of its investigation, the CRTG will report its findings and recommended disposition of the Allegation or Complaint to the *DRB*. This report will be presented within one month of receiving the charge to evaluate the Complaint from the *DRB* unless the CRTG determines that a special audit is required. If a special audit is required the findings and recommendations of the CRTG will be due 30 days after completion. The findings and recommendations of the CRTG will be reviewed by the AISC President and General Counsel for form and compliance with legal and Program requirements prior to final submission of the CRTG findings and recommendations to the Executive Committee of the AISC Board of Directors ("Executive Committee") for a Final Determination.

Final Determination: After submission of the findings and recommendations of the CRTG, the Executive Committee will either: 1) seek clarification of the findings and recommendations from the CRTG, or 2) confirm the findings and recommendations of the CRTG. The AISC President will notify the *Participant* of that decision within 21 days of receiving the final findings and

recommendation of the CRTG. If the Participant is not satisfied with the decision of the Executive Committee it may refer the matter to binding arbitration, in accordance with the procedure set out below, which shall be the Participant's sole and binding means of resolution of any dispute with AISC, its Certification Program or any individual, group, or committee involved with the AISC Certification program or the procedure undertaken in accordance with this Progressive Action Policy for Certification Complaints and Allegations.

Communication

The AISC President will provide the *Complainant* and *Participant* with progress reports and, if applicable, the Final Determination of the Executive Committee.

Arbitration

In the event that the *Participant* wishes to challenge the results of a Level 1, 2, or 3 Determination made in connection with this procedure, the matter will be submitted to a mutually acceptable, independent arbitrator for a final and binding decision. This binding arbitration will be the sole and exclusive remedy of the parties. The *Participant* must direct a written notice of challenge and request for arbitration to the President of AISC within 14 days of receipt of the Determination. If such notice is not received within this time limit the results of the Determination will become final and not subject to

