

SECTION 11

PUBLIC INQUIRIES AND OFFICIAL COMPLAINTS



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PUBLIC INQUIRIES AND OFFICIAL COMPLAINTS

- 1. PUBLIC INQUIRIES REGARDING INCONSISTENT PRACTICES** **3**

- 2. OFFICIAL COMPLAINTS QUESTIONING THE VALIDITY OF A CERTIFICATION TO SFI 2015-2019 STANDARDS AND RULES SECTION 2 AND SECTION 3** **3**

- 3. PUBLIC INQUIRIES REGARDING INCONSISTENT PRACTICES AND THE ILO CORE CONVENTIONS (87, 98 AND 111)** **4**

- 4. CHALLENGES OR COMPLAINTS REGARDING SFI ON-PRODUCT LABEL USE (SECTION 5)** **4**

SECTION 1

PUBLIC INQUIRIES AND OFFICIAL COMPLAINTS

INTRODUCTION

A process that openly investigates concerns and official complaints is an important component of any legitimate certification program. The transparency requirements of the SFI 2015-2019 Standards and supporting documents allow individuals and organizations to bring forward questions and concerns using two different processes as outlined in this section.

The “Public Inquiries Regarding Inconsistent Practices” (number 1 below) shall be used for general inquiries from the public and to promptly review and apply corrective actions, if warranted, in situations where isolated deficiencies in implementing the requirements of the SFI Forest Management, Fiber Sourcing or Chain-of-Custody Standards may have occurred.

Inquiries that involve multiple or systemic instances of alleged nonconformity that challenge the validity of a certification shall be addressed using the process outlined in “Official Complaints Questioning the Validity of a Certification” (number 2 below).

An official complaint does not challenge the credibility or the content of the standard requirements; rather it challenges the audit findings and the decision of the certification body to grant the certification, or events occurring since the audit that question the maintenance of the certification.

In instances where there is disagreement on the process to be applied, SFI Inc. shall serve as the higher authority in determining which process is most appropriate.

1. PUBLIC INQUIRIES REGARDING INCONSISTENT PRACTICES

Any party with information or claims about a *Program Participant's* individual practices that may be in nonconformity with *SFI 2015-2019 Forest Management Standard* or the *SFI 2015-2019 Fiber Sourcing Standard* may seek to have those claims investigated.

The complainant shall present specific claim(s) of inconsistent practice in writing and in sufficient detail to the *Program Participant*. Within 45 days of receipt of the claim of inconsistent practice, the *Program Participant* shall respond to the complainant and forward a copy of the claim of inconsistent practice and its response to their *certification body* for review via surveillance or certification audits. The *certification body* shall investigate the validity of the inconsistent practice and the *Program Participant's* response and resolution of the claim at the time of the next scheduled surveillance audit.

A complainant who believes the issue has not been satisfactorily resolved may provide its original documentation and the response from the *Program Participant* to the appropriate *SFI Implementation Committee Inconsistent Practices Program*, which shall investigate and respond to the claim of inconsistent practice(s) within 45 days of receipt of documentation. The *SFI Implementation Committee* shall provide copies of its findings and any recommended actions to both the *Program Participant* and the complainant. The *Program Participant* shall forward the results of the *SFI Implementation Committee* investigation to its *certification body*.

In the event litigation is involved between the external party and Program Participant, the inconsistent practices process shall be suspended pending resolution of the litigation. It shall be re-started following resolution of the litigation if SFI nonconformity issues remain.

2. OFFICIAL COMPLAINTS QUESTIONING THE VALIDITY OF A CERTIFICATION TO SFI 2015-2019 FOREST MANAGEMENT STANDARD OR SFI 2015-2019 FIBER SOURCING STANDARD

The official complaint process is an important component of any legitimate certification program, including the *SFI* program. The official complaint process allows individuals or organizations to have their complaint regarding the validity of a certification openly and independently investigated. A complaint does not challenge the credibility or the content of the *SFI 2015-2019 Forest Management Standard* or *SFI 2015-2019 Fiber Sourcing Standard*, rather it challenges the audit findings and the decision to grant the certification, or events that have happened since the last audit that questions the maintenance of the certification.

2.1 Official Complaint Process

- 2.1.1 The complainant outlines their concerns in a letter to the *Program Participant's certification body*.
- 2.1.2 The *certification body* may request additional specifics associated with the concerns and will investigate the issue in accordance with their official complaint procedures that were approved by their accreditation body.
- 2.1.3 If the *certification body* finds a sound basis for the official complaint then it would require the *Program Participant* to take corrective action to address the complaint and advise the complainant accordingly.
- 2.1.4 If the *certification body* does not find a sound basis for the complaint and determines the certification was appropriately granted and *Program Participant's* performance has not changed since the certification, it would inform the complainant of this.
- 2.1.5 If the findings of the *certification body* do not satisfy the complainant then they can appeal to the accreditation body that accredited the *certification body*, which is either ANSI-ASQ National Accreditation Body (www.anab.org) or the Standards Council of Canada (www.scc.ca). The accreditation body would then conduct its own investigation into the complaint as the highest authority.
- 2.1.6 In the event litigation is involved between the complainant and the *Program Participant*, the complaint process shall be suspended pending resolution of the litigation. It shall be re-started following resolution of the litigation if *SFI* nonconformity issues remain.

3. PUBLIC INQUIRIES REGARDING INCONSISTENT PRACTICES AND THE ILO CORE CONVENTIONS (87, 98 AND 111)

Any party with information or claims about a *Program Participant's* individual practices that may be in nonconformity may seek to have those claims investigated.

The complainant shall present specific claims of nonconformity in writing and in sufficient detail to the *Program Participant*. Within 45 days of receipt of the complaint, the *Program Participant* shall respond to the complainant and forward a copy of the complaint and its response to the *Program Participant's certification body* for future review via surveillance or certification audits.

A complainant who believes the issue has not been satisfactorily resolved may provide its original documentation and the response from the *Program Participant* to the *SFI ILO Task Force*, which shall investigate the allegations and provide copies of its findings and any recommended actions to the *SFI Inc.* Board of Directors bi-annually. The *SFI Inc.* Board of Directors shall provide copies of its findings and required actions to the *SFI ILO Task Force*, the *Program Participant*, *certification body* and the complainant.

Concerns regarding compliance with other labor laws and regulations are not covered by the process here in Section 11 part 3. In addition, any ILO related issue that is being addressed through a formal grievance process or before any of the agencies established by the U.S. National Labor Relations Act (NLRA), the appropriate Provincial Labour Code or Act, or the courts until those processes are completed will not be subject to review, consideration or recommendations by the *SFI ILO Task Force* nor by the *SFI Inc.* Board of Directors.

4. CHALLENGES OR COMPLAINTS REGARDING SFI ON-PRODUCT LABEL USE (SECTION 5)

4.1 The *Office of Label Use and Licensing* will hear challenges or complaints regarding *SFI* on-product label use

4.2 If an *SFI* on-product *label user* fails to comply with any aspects of this document, approval for *SFI* on-product label use may be withdrawn.

4.3 Any party with information or claims about the practices of a *Program Participant* or *label user*, or questions about the validity of a *Program Participant's* label use in accordance with the requirements of *SFI* Section 5 may seek to have those claims investigated, as outlined below.

4.3.1 The complainant should outline concerns in a letter to the certificate holder or *label user*.

4.3.2 Within 45 days, the certificate holder or *label user* shall respond to the complainant, and forward a copy of the complaint and response to its *SFI certification body*.

4.3.3 The *SFI certification body* shall investigate the validity of the complaint based on the seriousness of the claim, and respond no later than the next annual assessment.

4.3.4 If the complainant is not satisfied, they may provide the original documentation and response to the *SFI Office of Label Use and Licensing*, which shall investigate and respond within 45 days.

4.4 Upon reviewing the information, the *SFI Office of Label Use and Licensing* may:

- a. seek more information from the complainant or the certificate holder or *label user* before making a final determination; or
- b. find that the complaint is without merit and no further action is required; or
- c. find that corrective actions are necessary; or
- d. if the certificate holder or *label user* fails to take appropriate corrective measures or if no action would be sufficient to remedy the situation, suspend the label license.