



**Public Inquiries and Official Complaints
(Section 121)**

March 1, 2021

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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 2022 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 2022 Forest Management*, *SFI 2022 Fiber Sourcing*, ~~or~~ *SFI 2022 Chain-of-Custody*, or *SFI 2022 Certified Sourcing Standards-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.

Commented [SF1]: Repeated below under number 2

1. Public Inquiries regarding Inconsistent Practices against the SFI 2022 Forest Management Standard or SFI 2022 Fiber Sourcing Standard

Any ~~individual or organization (the complainant) party~~ with information or claims about a ~~Program Participant's Certified Organization's~~ individual *practices* that may be in nonconformity 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 ~~Certified Organization~~*Program Participant*. Within 45 days of receipt of the claim of inconsistent *practice*, the ~~Certified Organization~~*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 ~~at the next via surveillance or certification audits~~.

The ~~certification body~~ shall investigate the validity of the inconsistent practice report and the ~~Program Participant's Certified Organization's~~ response and resolution of the claim at the time of the next scheduled surveillance audit. Once the certification body has completed its investigation of the inconsistent practice report it shall communicate its findings to the complainant and the certified organization.

Commented [SF12]: Edits to clarify the inconsistent practices reporting investigation process.

~~A complainant who believes the issue has not been satisfactorily resolved may provide its original documentation and the response from the Certified Organization/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 *Certified Organization Program Participant* and the complainant. The *Certified Organization Program Participant* shall forward the results of the *SFI Implementation Committee* investigation to its *certification body*.

Commented [SF13]: Edit to remove SIC from the review process -addresses the potential appearance of a conflict of interest when reviewing the report.

In the event litigation is involved between the *complainant external party* and *Program Participant Certified Organization*, 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 Sections 2, ~~or~~ 3, 4, and 5

The official complaint process is an important component of any legitimate certification *program*, including *SFI 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 2022-2019 Standards*, 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 *communicates outlines* their concerns *and in sufficient detail in a letter* to the *Program Participant's to the Certified Organization and the Certified Organization's certification body*.

2.1.2 *For complaints regarding a SFI 2022 Chain-of-Custody Standard Certified Organization, the Certified Organization and the certification body shall acknowledge receipt of the complaint within 10 working days.* 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.

Commented [SF14]: Alignment with PEFC COC ST 2002.

2.1.3 If the *certification body* finds a sound basis for the official complaint then it *shall would* require the *Certified Organization 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 Certified Organization'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 bring their complaint to* the accreditation body that accredited the *certification body; for investigation (which is either ANSI-ASQ National Accreditation Body (www.anab.org) or the Standards Council of Canada (www.scc.ca).* The

Commented [SF15]: Correct term for Accreditation Body review and determination is 'complaint' not 'appeal'.

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 *Certified Organization/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/Certified Organization'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 *Certified Organization/Program Participant* shall respond to the complainant and forward a copy of the complaint and its response to the *Program Participant's/Certified Organization'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 *Certified Organization/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 (NLRRA), 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*.~~

Commented [SFI 6]: This entire to be deleted and the complaint process in 2 used in its place or refer to ILO Guidance in SFI Section 7.

3. Challenges or Complaints regarding SFI On-Product Label Use (Section 65)

- 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 *Certified Organization/Program Participant* or *label user*, or questions about the validity of a *Program Participant's/Certified*~~

~~Organization's label use in accordance with the requirements of SFI Section 5 may seek to have those claims investigated, as outlined below:~~

Commented [SFI 7]: This text incorporated 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 Any party with information or claims about the *practices* of a *Certified Organization*, or questions about the validity of a *Certified Organization's* label use in accordance with the requirements of SFI Section 6 — Rules for Use of the *SFI On-Product Labels and Off-Product Marks* may seek to have those claims investigated by contacting the *SFI Office of Label Use and Licensing*. Complaints will be addressed by the *SFI Office of Label Use and Licensing* within 45 days.

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

- a. seek more information from the complainant or the *Certified Organization 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 *Certified Organization 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.