

# Complaint and Appeal Process for the Apprenticeship, Trade and Occupational Certification Program

## Introduction

The Apprenticeship, Trades and Occupational Certification program makes every effort to be fair, transparent, and clear to employers and apprentices throughout the trade certification process.

Occasionally, there are instances where apprentices or employers may feel the rules have not been applied correctly or that the requirements do not adequately reflect their particular circumstance.

There are two separate processes in place to address employers' and apprentices' concerns; one for complaints and one for appeals.

## Complaints

A complaint is where an employer or apprentice feels that the level of service or treatment that they have received from their Career Development Officer (CDO) or other Education, Culture and Employment Official has fallen short of what might reasonably be expected, or it is felt that legislation or policies are not being followed. Examples might include complaints about misinformation, length of time a contract or record book is kept for entry, or a service experience. If you have a complaint you would like addressed, please follow this process:

1. Speak with your CDO. It may be a misunderstanding that simply needs to be clarified.
2. If speaking with your CDO does not address your complaint, send a letter or an email explaining your concern to the CDO's Supervisor (can be a Manager or a Regional Superintendent).
3. If speaking to the CDO's Supervisor does not address your complaint, send a letter or an email explaining your concern to the CDO's Superintendent. In the case where the Superintendent has been contacted, please see number 4 below.
4. If the Superintendent did not address your complaint, contact the Director and/or Deputy Director, Apprenticeship, Trade and Occupation Certification at 1-867-767-9351 Ext. 71152.
5. If the complaint still has not been addressed to your satisfaction, you may choose to write to the Assistant Deputy Minister, Labour and Income Security, the Deputy Minister, Education, Culture and Employment or the Minister, Education, Culture and Employment.

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## Appeals

An appeal is where an apprentice or employer seeks a review of a decision that they feel has not been made correctly by the CDO or by the Certification Officer, Apprenticeship, Trade and Occupation Certification, under the *Apprenticeship, Trade and Occupation Certification Act* and Regulations. Appeals are very specific and only cover apprentices' terminations, cancellations, or refusals. If you wish to appeal a decision, the following will guide you through the process:

Please refer to Section 8(1) of the *Apprenticeship, Trade and Occupation Certification Act* and Sections 14(4)-15(3) of the *Regulations*.

1. An appeal to the Apprenticeship, Trade and Occupation Certification Board must be made within 30 days of the delivery of the refusal, termination or cancellation.
2. Notice of the appeal must be delivered to the Chairperson, Apprenticeship, Trade and Occupation Certification Board and the Director, Apprenticeship, Trade and Occupation Certification, as well as all parties to the apprenticeship contract.
3. The notice of appeal must:
  - (a) be in writing;
  - (b) state the reasons for the appeal; and
  - (c) be signed by the appellant.
4. For more information on how to appeal a decision, please speak with your CDO or contact the Director and/or Deputy Director, Apprenticeship, Trade and Occupation Certification at 1-867-767-9351 Ext. 71152.

In some cases, a complaint and appeal may be linked. For example, where a student believes that problems associated with registering for a course or program contributed to them not being registered on time. A CDO or an Official from Education, Culture and Employment will guide you through the appeal process and let you know if your concern is a complaint or an appeal.

For guidance through the appeal process, or if you have any further questions, please contact your local ECE Service Centre at the locations noted in this website: <https://www.ece.gov.nt.ca/ece-service-centres>, or contact 1-867-767-9351 Ext. 71152 for further information.