

Prepared by: EMS Committee Effective date: October 1, 2007	MISTIK MANAGEMENT LTD.  STANDARD OPERATING PROCEDURE <u>Complaint and Dispute Resolution</u>	Page 1 of 4
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PURPOSE

This procedure describes the process to be followed for the resolution of a complaint or dispute related to Mistik's forestry and wood procurement practices. The procedure may be adapted as necessary to ensure that culturally appropriate *engagement* is available to accommodate complainants.

SCOPE

This procedure applies to Mistik as an organization.

DEFINITIONS

Complaint or dispute – a forestry-related issue, brought to the attention of Mistik by a member of the public, which is of sufficient significance as to warrant a special effort by Mistik staff to resolve.

Chain of custody complaint or dispute – an issue related to the classification of FSC controlled wood.

POLICY

Mistik shall establish procedures that shall be reviewed annually and, if required, updated so that a forestry-related complaint or dispute brought to Mistik by internal or external parties can be evaluated and addressed in a timely manner. Mistik shall inform the public of the existence of its dispute resolution process and shall make available to the public a copy of its complaint and dispute resolution procedures. Where the communication with Mistik staff has not resulted in a resolution of the complaint or dispute, the aggrieved parties shall have opportunity to present their case to a Board of Arbitration. The Board of Arbitration will strive to achieve conciliation between the parties. In some cases it may be appropriate to cease operations while the complaint or dispute is being resolved to ensure that issues of a substantial magnitude are not compounded during resolution. A personal, business or legal dispute requiring confidentiality will be not considered under this dispute resolution mechanism.

PROCEDURE

Responsibility	Task
Certification Coordinator	1. On an annual basis (by April 15), schedule a meeting of Mistik's EMS SFM Committee to review, and update if necessary, the following complaints and dispute resolution procedures.

A. General Complaints

Complainant	2. Make a complaint or dispute known to Mistik in writing.
Mistik staff member(s)	3. Complaint will be acknowledged within 2 weeks of receipt of the written complaint. 4. Attempt to resolve the issue within 2 weeks. If the issue cannot be resolved immediately, involve other Mistik staff members that may provide assistance in addressing the matter. 5. If the issue cannot be addressed within 2 weeks of Mistik being made aware of the matter, or a resolution process cannot be agreed to that is mutually agreeable to both the complainant and Mistik, document

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	<p>the nature of the issue on a Mistik Stakeholder Discussion Form and notify Mistik's General Manager.</p> <p>6. Forward a copy of the written complaint and documented Stakeholder Discussion Form to the General Manager and to the Office Administrator for central filing.</p>
Office Administrator	7. File all complaints by source, year and general topic area.
General Manager Board of Arbitration	<p>8. The General Manager shall document a summary of the complaint or issue in Mistik's current Register of Public Issues and Concerns (summarized in the Annual Report).</p> <p>9. The General Manager shall attempt to address the issue directly with the complainant. If a mutually agreeable resolution process cannot be achieved, the General Manager shall initiate the following dispute resolution process:</p> <p>Every dispute between a complainant and Mistik which cannot be resolved by consensus shall be settled by a Board of Arbitration composed of the following individuals:</p> <ul style="list-style-type: none"> • The Facilitator of Mistik's Public Advisory Group who will also serve as the Chair of the Board of Arbitration; • The General Manager of Mistik or his nominee; and • An individual selected to represent the complainant. <p>The General Manager shall notify the complainant in writing of Mistik's attempts at resolving the issue and that final resolution of the issue will be addressed by a Board of Arbitration. The General Manager shall provide a copy of this procedure to the complainant. The complainant shall name a representative to the Board of Arbitration which shall be convened by the Chair as soon as practical.</p> <p>The written decision of the Arbitrators, or of a majority of them, shall be final and binding upon the parties. The <i>Arbitration Act of Saskatchewan</i> shall apply. The documented decision of the Board shall be forwarded to the complainant and to Mistik's Office Administrator for central filing.</p>
Office Administrator	10. File all Board of Arbitration decisions by source, year and general topic area.

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B. Chain of Custody Complaints (specifically related to the supply of controlled wood. Re: non-conforming product)

Responsibility	Task
Complainant (public, customer, staff member)	1. Make a chain of custody/non-conforming product complaint or dispute known to Mistik in writing.
Mistik staff member	2. Complaint will be acknowledged within 2 weeks of receipt of the written complaint. 3. Complaint details will be forwarded to the certification body, affected customer(s) and FSC Canada within 2 weeks of receipt of the written complaint. 4. Document the details of the chain of custody complaint on a Mistik Stakeholder Discussion Form. 5. Forward a copy of the complaint documented on the Stakeholder Discussion Form to the Operations Manager and to the Office Administrator for central filing. 6. Notification will be made to the complainant, regarding the status of the complaint on a regular basis by the Operations Manager.
Operations Manager General Manager	7. Within two months of receipt of the complaint, review all sources of information relevant to the complaint. Review Mistik's original documentation related to the chain of custody determination. Based on all the evidence, make a new chain of custody determination that will either validate the complainant's evidence or validate Mistik's original chain of custody evidence. Forward a letter to the complainant and the Office Administrator with a summary of the outcome of the chain of custody review process. 8. If a nonconformance of Mistik's chain of custody procedure is found, create a corrective action report. Ensure that the supplier is excluded from Mistik's FSC controlled wood suppliers list. The supplier shall not be designated as a FSC controlled wood source until such time as Mistik's Operations Manager formally reviews the source area again and determines the appropriate chain of custody classification. 9. When resolution of the complaint has been achieved, the certification body and FSC Canada will be notified within 2 weeks.
Office Administrator	10. File all chain of custody determination decisions made in response to complaints by source, year and supplier.
Office Administrator Certification Coordinator	11. On an annual basis (by April 15), forward a listing of all controlled wood classification nonconformances to FSC Canada and KPMG.

C. Stakeholder Complaints Related to Mistik's Due Diligence System

Responsibility	Task
Complainant (stakeholder)	12. Make a complaint or dispute known to Mistik in writing related to the DDS.
Mistik staff member	13. Acknowledge initial receipt of the complaint. 14. Inform stakeholder of the complaint procedure and details. 15. Complaint will be acknowledged within 2 weeks of receipt of the written complaint. 16. Complaint details will be forwarded to the certification body, affected customer(s) and FSC Canada or responsible body within 2 weeks of

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	receipt of the written complaint. 17. Document the details of the DDS complaint on a Mistik Stakeholder Discussion Form. 18. Forward a copy of the complaint documented on the Stakeholder Discussion Form to the General Manager and to the Office Administrator for central filing. 19. Notification will be made to the complainant, regarding the status of the complaint on a regular basis by the General Manager.
General Manager	20. Within two months of receipt of the complaint, review all sources of information relevant to the complaint. Review Mistik's original documentation related to the chain of custody determination. Based on all the evidence, make a new chain of custody determination that will either validate the complainant's evidence or validate Mistik's original chain of custody evidence. Forward a letter to the complainant and the Office Administrator with a summary of the outcome of the chain of custody review process. 21. If a nonconformance of Mistik's DDS is found, create a corrective action report. Ensure that the supplier is excluded from Mistik's FSC controlled wood suppliers list. The supplier shall not be designated as a FSC controlled wood source until such time as the General Manager formally reviews the source area again and determines the appropriate chain of custody classification. 22. When resolution of the complaint has been achieved, the certification body and FSC Canada will be notified within 2 weeks.
Office Administrator	23. File all chain of custody determination decisions made in response to complaints by source, year and supplier.
Certification Coordinator	24. On an annual basis (by April 15), forward a listing of all controlled wood classification nonconformances to FSC Canada and KPMG.

RELATED DOCUMENTS

1. *Arbitration Act of Saskatchewan*

RELATED RECORDS

1. EMSFORM_01 CONTROLLED DOCUMENT REVIEW.DOC
2. EMSFORM_16 MANAGEMENT REVIEW REPORT.DOC
3. EMSFORM_13 CORRECTIVE ACTION REPORT.DOC
4. Miscellaneous memos to and from top management related to the EMS and SFM programs
5. Mistik Register of Public Issues and Concerns
6. Annual Report

REQUIRED TRAINING

Mistik EMS and SFM Awareness Training

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