

Request for Review Policy (EXTERNAL)

External Policy No. E.05.2022 v.1

Purpose

This policy outlines the requirements for requesting a review of a decision or order made by SkilledTradesBC, in accordance with section 43 of the SkilledTradesBC Act (Act).

In Scope

This policy applies to individuals and employers who are the subject of a decision or order made by SkilledTradesBC and who wish to request a review of that decision or order (Applicant).

Requests for review may only be submitted as they relate to decisions or orders that are included in the Act and only on grounds for review that are included in the Minister's Skilled Trades BC Regulation.

Out of Scope

This policy does not apply to complaints or requests for review of decisions made by a party other than SkilledTradesBC.

Definitions

For the purposes of this policy,

- **“Reviewable Decision”** means a decision or order in one of the categories outlined in section 43(1) of the Act that are subject to the SkilledTradesBC review process.
- **“Reviewable Grounds”** means the accepted reasons for requesting a review of a SkilledTradesBC decision or order, as outlined in section 12(1) of the Minister's Skilled Trades BC Regulation.
- **“Review Officer”** means an individual designated by SkilledTradesBC to conduct reviews in accordance with the Act and its regulations.

Policy

- Where there is any conflict between this policy and the Act, its regulations, or any other applicable legislation as amended from time to time, the requirements of the related legislation apply.

1. REQUESTING A REVIEW

- 1.1. SkilledTradesBC's Review Officer will consider requests for review of a SkilledTradesBC decision or order in accordance with section 43 of the Act, which identifies the categories of Reviewable Decisions, and the Minister's Skilled Trades BC Regulation, which identifies the Reviewable Grounds.
- 1.2. Applicants must submit a complete Request for Review Form (Form), included in Appendix A, within 30 days of receiving written notice of the decision or order. The Request for Review Form must:
 - a. identify the Reviewable Decision and the Reviewable Grounds; and
 - b. include a summary of the reasons for requesting the review.
- 1.3. The Review Officer will not accept any incomplete Forms or Forms submitted after the 30-day period.
- 1.4. A Request for Review Form cannot be used as a complaint or to submit feedback to SkilledTradesBC. Complaints should be submitted to SkilledTradesBC Customer Service at the contact information listed below.

2. DECISIONS

- 2.1. Applicants will receive written notification of the Review Officer's decision on their Request for Review.
- 2.2. If the Request for the Review is denied, the Applicant is encouraged to discuss their Request for Review Form with a SkilledTradesBC Apprenticeship Advisor to understand why the request was denied.
- 2.3. Applicants who wish to revise a Request for Review that was denied because the original Form was incomplete, may resubmit their Request for Review Form if the 30-day period since they received the original SkilledTradesBC decision or order has not transpired (see section 1.2 above).
 - a. If the 30-day period has transpired since an Applicant received a SkilledTradesBC decision or order, the Applicant must seek sign-off by a SkilledTradesBC Apprenticeship Advisor to revise and resubmit the Form.

3. REQUESTS FOR REVIEW OF EXAMINATION RESULTS

- 3.1. Applicants should contact a SkilledTradesBC Apprenticeship Advisor before submitting a Request for Review regarding an examination result to understand if the results are reviewable.
- 3.2. Requests for Review of examination results are subject to the requirements noted in 1.1 through 1.4 of this policy and must be submitted using a completed Request for Review Form.
- 3.3. If an Applicant submits a Request for Review under the category of "Examination or

assessment of a person’s training”, they may not reschedule the same exam they requested a review of until the review process is complete. This may take up to 120 days.

4. APPEALS

- 4.1. A person or employer who is dissatisfied with a decision of the Review Officer may appeal to the SkilledTradesBC Appeal Board by filing a notice of appeal within 30 days of receiving written notice of the Review Officer’s decision. For more information visit, <https://www.stbcab.ca/> or call: from Victoria: 250-387-3464; from elsewhere in B.C. 1-800-663-7867 and request a toll-free transfer.

For assistance, contact SkilledTradesBC Customer Service at the information listed below.

Customer Service

T: 778-328-8700

Toll Free in BC: 1-866-660-6011

customerservice@skilledtradesbc.ca

Date Approved: December 1, 2022

Date Last Reviewed: December 3, 2024

Appendix A

Request for Review of Decision or Order Form

Important: Requests for review can only be made for certain kinds of SkilledTradesBC decisions and orders and can only be made on certain grounds. A request for review must be made within 30 days of receiving written notice of the decision or order. If a request for review submission does not include the type of decision/order, grounds or a summary of the reasons for requesting the review, or if the initial submission is outside the 30-day period, it will not be accepted for review. See below for more information.

The Request for Review Form cannot be used to submit a complaint or feedback to SkilledTradesBC. Complaints or feedback should be submitted to SkilledTradesBC Customer Service at the contact information listed below.

Please visit SkilledTradesBC Request for Review Webpage for important information or contact SkilledTradesBC Customer Service at the information listed below:

T: 778-328-8700

Toll Free in BC: 1-866-660-6011

customerservice@skilledtradesbc.ca

1) Applicant Information

I am an Apprentice an Employer a Trade Qualifier a Worker

Other _____
(please describe)

2) Trade that is the Subject of My Request for Review (indicate trade below):

3) Contact Information (please contact SkilledTradesBC in writing if this information changes)

Last Name	First Name	Middle Name	SkilledTradesBC ID # (if applicable)
_____	_____	_____	_____

Mailing Address:

City	Province	Postal Code	Email Address
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Mobile phone number
(include area code)

Business phone number
(include area code)

Fax number
(include area code)

3) Request for Review

1. In Section 3A below you **must** indicate, by checking the appropriate box, the type of SkilledTradesBC decision or order you wish to request a review of. If you do not indicate the decision/order you wish reviewed, **your submission will not be accepted.**
2. Attach a copy of the decision or order in question to this form.
3. In Section 3B below, you **must** indicate the grounds for review, by checking one or more of the appropriate boxes that you believe apply to your request for review. If you do not indicate the ground(s) that apply, **your submission will not be accepted.**
4. You **must** include a summary of your reasons for requesting a review in Section 3C below. If further space is required, please attach additional pages. If you do not include a summary of your reasons for requesting a review, **your submission will not be accepted.**
5. You may include any records or other evidence to support your request. This may include additional documentation, signed statements, affidavits, or any other evidence that you believe is relevant to your request for review.
6. Complete all other sections of this form.

A. Category of SkilledTradesBC Decision or Order

I am requesting a review of the following SkilledTradesBC decision or order (*Please check only one box below. If you wish to request a review of more than one decision or order, please complete a separate form for each decision or order*). **NOTE: You must check one box below** or your request for review will not be accepted by the Review Officer.

	A refusal by SkilledTradesBC to award an industry training credential
	A refusal by SkilledTradesBC to determine that a person is a trade qualifier
	The suspension or cancellation by SkilledTradesBC of a person’s industry training credential
	A refusal by SkilledTradesBC to register a person as an apprentice
	Cancellation by SkilledTradesBC of a person’s registration as an apprentice

	<p>An examination or assessment by SkilledTradesBC of a person’s training</p> <p>NOTE 1: If a Request for Review is submitted under this category, you may not reschedule the exam you are disputing until the Request for Review process is complete. This could take up to 120 days.</p> <p>NOTE 2: You should contact a SkilledTradesBC Apprenticeship Advisor before submitting a request for review regarding an exam mark to understand if your exam results are reviewable. Apprenticeship Advisors can also help with understanding how exams are marked, review exam results, develop a study plan and provide information about supports and resources available to help you succeed. See also SkilledTradesBC’s Exam Information webpage.</p>
	<p>A refusal by SkilledTradesBC to issue a person a temporary authorization under section 31 of the <i>Skilled Trades BC Act</i></p>
	<p>A refusal by SkilledTradesBC to grant a supervision ratio adjustment under section 33 of the <i>Skilled Trades BC Act</i></p>
	<p>The issuance of a written warning under section 37 of the <i>Skilled Trades BC Act</i> for contravening any of the following requirements of the <i>Skilled Trades BC Act</i>:</p> <ul style="list-style-type: none"> • Requirements to only work, or only employ a person, in a skilled trades certification trade with the appropriate registration or authorization in place (section 26 of the <i>Skilled Trades BC Act</i>) • Requirements to maintain, and produce upon request, records of skilled trades certification trade qualifications (section 30(2) of the <i>Skilled Trades BC Act</i>) • Requirements to comply with established supervision ratios (section 32 of the <i>Skilled Trades BC Act</i>), or supervision ratio adjustments (section 33 of the <i>Skilled Trades BC Act</i>)
	<p>The issuance by a SkilledTradesBC compliance officer/certification officer of a compliance order under section 38 of the <i>Skilled Trades BC Act</i></p>
	<p>The imposition by a SkilledTradesBC compliance officer/certification advisor or another officer or employee of SkilledTradesBC of an administrative monetary penalty under section 39 of the <i>Skilled Trades BC Act</i></p>

I have included a copy of the SkilledTradesBC decision or order related to the request for review.

B. Grounds for Review

Please indicate one or more grounds on which your request for review is based. **NOTE: You must**

check one or more boxes below or your request for review will not be accepted by the Review Officer.

	An error in a matter of fact or law
	New evidence
	<p>A failure to observe the principles of natural justice and procedural fairness in making the decision</p> <p>NOTE: In brief, the principles of natural justice and procedural fairness revolve around the idea that the process, and how decisions are made, should be fair to the people involved. For further explanation/information see SkilledTradesBC's Request for Review webpage.</p>

Please see the SkilledTradesBC Request for Review Webpage for more information on the grounds for review.

C. Summary of Reasons for Requesting a Review

You **must** include a summary of the reasons for your request for review including referencing the ground(s) that you have indicated above as they relate to the SkilledTradesBC decision or order that you are requesting be reviewed. You may add up to an additional 5 pages if you need more space.

If a summary is not provided, your request for review **will not be accepted by the Review Officer.**

4) Identify who will communicate with SkilledTradesBC about this request for review (please contact SkilledTradesBC in writing if this information changes)

Please check (✓) only one:

_____ I will communicate with SkilledTradesBC regarding this request for review.

_____ The person named in Appendix A of this Request for Review of Decision or Order Form will communicate with SkilledTradesBC on my behalf regarding this request for review. *(If this option is selected, please complete and submit Appendix A of this form.)*

5) Applicant’s Confirmation and Consent:

The information I have provided in this form is true and accurate to the best of my knowledge and belief.

I understand that SkilledTradesBC collects, uses, and discloses personal information for purposes relating to processing, addressing, and determining requests for review, and that SkilledTradesBC may obtain and view, for these purposes, a copy of any and all records relating to the decision or order for which I am requesting a review or that are relevant to my request for review.

I consent to the collection, use, and disclosure of my personal information by SkilledTradesBC as reasonably necessary for the purposes of this request for review.

Applicant’s Name
(Please print)

Applicant’s Signature

Date Signed
(yyyy-mm-dd)

Once completed, please send your form and all attachments to:

Review Officer, SkilledTradesBC
8100 Granville Avenue, Richmond, BC. V6Y 3T8
Facsimile: 778-785-2401
Email: reviewofficer@SkilledTradesBC.ca

SkilledTradesBC Review Officer will respond to your request for review within **120 days** from the date of receipt. SkilledTradesBC Review Officer may also request more information from you.

For more information, please refer to SkilledTradesBC Requests for Review Webpage.

APPENDIX A – Representative Authorization

(Complete this Appendix A if you are authorizing another person to communicate with SkilledTradesBC on your behalf for the purposes of your request for review of a SkilledTradesBC decision or order.)

I, _____ *(please print name of Applicant)*, authorize _____ *(please print name of representative)* to communicate with SkilledTradesBC on my behalf for my request for review to SkilledTradesBC as set out in the Request for Review of Decision or Order form to which this Representative Authorization is attached. I consent to SkilledTradesBC disclosing to my representative my personal information for the purposes of processing, addressing, and determining my request for review. This authorization will remain in effect for the duration of time needed for SkilledTradesBC to address my request for review, unless I notify SkilledTradesBC in writing that the authorization is to be cancelled.

Signature of Applicant _____
Date

Witness _____
Date
(The witness must be someone other than the Representative)

Representative Information

Last Name First Name Business Name (if applicable)

Relationship with Applicant:

Mailing Address:

City Province Postal Code Email Address

Business phone number Home phone number Fax number
(include area code) (include area code) (include area code)
