



DISPUTE RESOLUTION POLICY



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OBJECTIVE OF POLICY

Alberta Recycling Management Authority (the “**Authority**”) is dedicated to working closely with producers and producer responsibility organizations to advance a circular economy and a waste free Alberta, in accordance with the principles of fairness and transparency. Disagreements and disputes occur, and the Authority is dedicated to resolving disputes in a fair and timely manner. The Authority’s objective is to resolve disputes in a cordial way, focusing first on working through issues directly with Producers and PROs while recognizing that some disputes may require adjudication.

SCOPE OF POLICY

This Policy outlines the Authority’s procedures for addressing disputes between the Authority and producers and producer responsibility organizations regarding decisions made by the Authority including, but not limited to, registration, producer hierarchy, and alternative collection systems, as well as complaints related to the Authority’s service delivery.

This Policy does not cover any disputes:

- (a) related to compliance or enforcement of:
 - (i) the *Extended Producer Responsibility Regulation*, Alta Reg 194/2022;
 - (ii) the *Environmental Protection and Enhancement Act*, RSA 2000, c E-12; or
- (b) between participants in the extended producer responsibility system.

PROCESS FOR DISPUTE RESOLUTION

Submission of Dispute Notice

1. A producer or producer responsibility organization (“**Complainant**”) may submit a dispute notice (“**Notice**”) in writing by email to epr@albertarecycling.ca. This Notice must include:
 - (a) Complainant’s name and contact information;
 - (b) a clear description of the dispute or complaint;
 - (c) the outcome which is sought; and

- (d) the affiliations of the Complainant.
- 2. The Authority will acknowledge the receipt of a Notice to the Complainant within ten business days.
- 3. The Authority may seek additional information from the Complainant. If the Complainant does not respond to the Authority's request for additional information within 15 days, the Notice will be deemed incomplete and withdrawn.

Informal Dispute Resolution

- 4. The Authority shall provide a response to the Notice within thirty (30) days ("**Response**"). If the dispute involves a decision made by the Authority, the Response shall provide clear reasons explaining the disputed decision.
- 5. If a Notice cannot be responded to within 30 days, the Authority will provide clear reasons in writing to the Complainant to why the Notice cannot be responded to and provide a timeline for when a Response will be provided. The Authority will provide this information prior to the end of the 30-day period.
- 6. After the Authority provides the Response, the Authority and the Complainant shall attempt in good faith to resolve any remaining issues in dispute by negotiation and consultation between themselves, including at least one (1) negotiation session.
- 7. In the event that the dispute has not been resolved within 30 days of the Authority providing a Response, either party may refer the dispute to be heard by a hearing panel by providing notice to the other party.

Formal Dispute Resolution

- 8. If a dispute is referred to a hearing panel, the Authority shall establish a hearing panel to hear and resolve the dispute (the "**Hearing Panel**").
- 9. The Hearing Panel shall be comprised of:
 - (a) a minimum of three (3), but no more than seven (7) individuals;
 - (b) individuals who do not have conflicts of interest regarding the subject matter of the dispute;
- 10. The Authority and the Complainant shall both have the opportunity to present their position and evidence to the Hearing Panel, either in person or in writing as determined by the Hearing Panel.

11. The Hearing Panel shall issue a decision within 30 days of reviewing the position and evidence of the Authority and the Complainant.
12. The decision of the Hearing Panel shall be final and conclusive.

Publication

13. The Authority shall post a summary of the dispute on the Authority's website. This summary which shall detail the nature of the dispute, the affiliation of the Complainant, and the resolution of the dispute.
14. Information provided to the Authority as part of a dispute resolution process will be subject to the Authority's Access, Privacy and Records Management Policy and treated confidentially. No personal or commercially sensitive information will be disclosed during the dispute resolution process.