

## Teachers' Pension Plan Corporation Appeal Policy - Overview

### Purpose

The Teachers' Pension Plan Corporation (“**TPPC**”) is committed to ensuring members of the Teachers' Pension Plan (“**Plan**”) have a fair and efficient process to address issues in respect of the TPPC's administration of the Plan. The Appeal Policy governs the procedure for an appeal of a decision related to the Plan.

### Who can bring an appeal?

Any person who has been aggrieved (the “**Appellant**”) by a decision of the Administrator or the Administrator's staff may bring an appeal. The Appellant may also appoint a personal representative to bring an appeal on his/her behalf.

### What decisions can be appealed?

Appeals may only relate to the application or interpretation of the Plan and the Appellant's personal entitlement to, or the amount of, a pension benefit under the Plan. Issues with the Plan's design and features are not subject to an appeal and should be directed to the Plan's Sponsor Body.

### What is the process for an appeal?

Before proceeding with a formal appeal, the Administrator and Appellant will make best efforts to informally resolve any issues with a decision. If a decision has a mistake or error, this issue should be resolved informally with the Administrator. If the parties are unable to come to an informal resolution, the Appellant can proceed with a formal appeal to a Review Officer (see Step one below).

#### ***Step one: Appeal to a Review Officer***

The first step of the appeals process is to appeal the decision of the Administrator's staff to a Review Officer. The Appellant may appeal a decision of an Administrator's staff to a Review Officer at any time.

The Appellant must complete [Form: Appeal to a Review Officer](#) outlining the basis of the appeal.

The Review Officer will review the Appellant's submissions and render a decision in writing to be provided to the Appellant within 30 days.

If the decision of the Review Officer is unsatisfactory to the Appellant, the Appellant may appeal a decision of the Administrator to the Appeals Committee (see Step two below).

#### **Who is the Review Officer?**

The Review Officer is the Director of Finance and Pension Administration.

#### ***Step two: Appeal to Appeals Committee***

The Appellant may appeal a decision of the Administrator to the Appeals Committee within 60 days of the written decision that is the subject of the appeal.

The Appellant must complete [Form: Appeal to the Appeals Committee Form](#) (*attach link for Form*) outlining the basis of the appeal. Along with the Appeals Form, the Appellant may also submit additional written submissions outlining factual and legal arguments in support of the appeal. The Administrator will provide the Appellant with copies of any documentation relevant to the appeal along with any written submission in response to the Appeals Form and additional submissions (if any) within 30 days of receipt of the Appeals Form. The Appellant will provide the Administrator with copies of any additional documentation, which is not found in the Administrator's documentation and is relevant to the appeal, along with any written submissions in reply to the Administrator's written submissions, no later than 21 days prior to the hearing date.

The Appellant may elect to make in-person submissions at the hearing of the appeal. This election must be made 30 days prior to the hearing date by notifying the Administrator. If in-person submissions are elected, both the Appellant and the Administrator will have the right to make in-person submissions and each party may ask questions of the other party for further clarification in respect of the decision that is the subject of the appeal.

The Appeals Committee will provide a written decision within a reasonable time and the decision is final and binding on the Administrator and the Appellant.

### **What is the Appeals Committee?**

The Appeals Committee must be composed of three (3) members as follows:

- I. The Board shall appoint one of the Board members from among those appointed by the Newfoundland and Labrador Teachers' Association to be appointed for a term of two years;
- II. The Board shall appoint one of the Board members from among those appointed by the Government of Newfoundland and Labrador to be appointed for a term of two years: and,
- III. One non-Board member to be appointed by the two Board members of the Appeals Committee on an appeal by appeal basis.

Any member of the Appeals Committee may be reappointed.

The Board shall appoint one of the Board members of the Appeals Committee to serve as chairperson of the Appeals Committee for a term of two years.

### **Where to Direct Appeals?**

All appeals must be directed to and submitted by mail or email as follows:

Teachers' Pension Plan Corporation  
Suite 101  
130 Kelsey Drive  
St. John's, NL A1B 0T2

Email: [appeals@tppcnl.ca](mailto:appeals@tppcnl.ca)

Attention: Chief Executive Officer

\*\*For further information please refer to the [Teachers' Pension Plan Corporation Appeal Policy](#)