

Staffing Program

Annex L

Directive on Recourse for Assessment and Staffing

1. Access to Recourse

All employees have access to the recourse mechanisms as outlined for each assessment, internal *selection process** or internal *staffing action** in the Agency's [Staffing Program](#).

The provision for recourse on assessment of competencies through Observe and Attest does not emanate from the Staffing Program and is therefore not discussed in this Directive.

2. Types of Recourse

2.1 There are three types of recourse available, Individual Feedback (IF), Decision Review (DR), and Independent Third Party Review (ITPR). The results of the recourse decisions are binding for the Agency but do not set precedent for future decisions.

2.2 Individual Feedback is the first step of recourse. It is a discussion between the candidate/employee and the *Authorized Person**. Candidates/employees have the opportunity to raise concerns regarding their own assessment or treatment in an internal *selection process** or treatment in relation to an internal *staffing action**. Individual Feedback should provide candidates/employees with information that is useful for their career development.

2.3 Decision Review is an internal process conducted by a *Decision Reviewer** who reviews a staffing decision that was taken by an *Authorized Person** or delegate.

2.4 Independent Third Party Review is an administrative process conducted by an external third party who reviews specific staffing decisions that were made by an *Authorized Person** or delegate. The ITPR Reviewer is hired on contract and assigned to a particular case by the National Conflict Resolution Office (NCRO).

2.5 The type of recourse available is commensurate with the nature and significance of the staffing decision as outlined in the following table:

* Words followed by an asterisk are defined in the [Staffing Program Definitions](#) document.

Internal Selection Process (Also applicable to call letters*)

Type of Staffing Action*	Recourse Mechanism	Access to Recourse
Pre-Requisite Stage		
Screening results	Individual Feedback	All of the candidates who applied for the internal <i>selection process</i> *
Assessment stage		
Assessment results and/or treatment in the assessment stage	Individual Feedback followed by Decision Review	All of the candidates who are part of the assessment stage of the internal <i>selection process</i> *
Placement Stage		
Permanent promotion	Individual Feedback followed by either Decision Review or Independent Third Party Review	Candidates who are qualified but not placed
Permanent lateral move of a permanent employee	Individual Feedback followed by Decision Review	Candidates who are qualified but not placed
Permanent lateral move of a term employee	Individual Feedback	Candidates who are qualified but not placed
Temporary lateral move of a permanent or term employee	Individual Feedback	Candidates who are qualified but not placed
Entry into an apprenticeship program	Individual Feedback followed by either Decision Review or Independent Third Party Review	Candidates who are qualified but not placed
Acting appointment, including <i>acting extensions</i> * (less than six months) ¹	Individual Feedback	Candidates who are qualified but not placed
Acting appointment, including <i>acting extensions</i> * (six months or more) ¹	Individual Feedback followed by Decision Review	Candidates who are qualified but not placed

* Words followed by an asterisk are defined in the [Staffing Program Definitions](#) document.

¹ *Acting extensions** are cumulative, unless there is at least a one-day break.

Type of Staffing Action*	Recourse Mechanism	Access to Recourse
Term appointment	Individual Feedback	Candidates who are qualified but not placed
Removal from a <i>pool</i> * - no longer meets pre-requisites or <i>conditions of employment</i> *	Individual Feedback	Employee whose name has been removed from the <i>pool</i> *

Internal Staffing Actions* Without Selection Process

Type of Staffing Action*	Recourse Mechanism	Access to Recourse
Promotions		
Permanent promotion ² – (excluding promotion following reclassification or promotion within an apprenticeship program)	Individual Feedback followed by either Decision Review or Independent Third Party Review	Employees in the <i>area of selection</i> * as indicated in the Annex C, Directive on Area of Selection
Promotion within an apprenticeship program	Individual Feedback followed by Decision Review	Apprentices within the apprenticeship program
Promotion following reclassification of the substantive position (significant connection with former duties)	Individual Feedback followed by Decision Review	Employees in the work unit in which the reclassification is taking place

* Words followed by an asterisk are defined in the [Staffing Program Definitions](#) document.

² Includes employees from other government departments and agencies appearing in Schedules [I, IV and V of the Financial Administration Act](#).

Type of Staffing Action*	Recourse Mechanism	Access to Recourse
Lateral Moves³		
Permanent lateral move of a permanent employee	Individual Feedback followed by Decision Review	Employees in the work unit into which the employee is to move and the employee moved
Permanent lateral move of a term employee	Individual Feedback	Employees in the work unit into which the employee is to move and the employee moved
Temporary lateral move of a permanent or term employee	Individual Feedback	Employees in the work unit into which the employee is to move and the employee moved
Acting Appointments		
Acting appointment, including <i>acting extensions</i> * (less than 6 months) ⁴	Individual Feedback	Employees in the work unit in which the appointment is made
Acting appointment, including <i>acting extensions</i> * (6 months or more) ⁴	Individual Feedback followed by Decision Review	Employees in the work unit in which the appointment is made

* Words followed by an asterisk are defined in the [Staffing Program Definitions](#) document.

³ Includes employees from other government departments and agencies appearing in Schedules [I, IV and V of the Financial Administration Act](#).

⁴ *Acting extensions** are cumulative, unless there is at least a one-day break.

Type of Staffing Action*	Recourse Mechanism	Access to Recourse
Term Appointments		
Creation of <i>rehire pools</i> *	Individual Feedback	Employees in the work unit in which the <i>rehire pool</i> * is created
Rehire of term employees	Individual Feedback	Individuals remaining in the <i>rehire pool</i> * but not selected for rehire and employees in the work unit
<i>Term extension</i> *	Individual Feedback	Employees in the work unit in which the term extension is made
Promotion to a term position	Individual Feedback	Employees in the work unit in which the appointment is made.
Change in tenure from temporary to permanent	Individual Feedback followed by Decision Review	Employees in the work unit in which the appointment is made.
Assessment Outside Selection Processes		
Results of standardized assessment *	Individual Feedback followed by Decision Review	Employee assessed

* Words followed by an asterisk are defined in the [Staffing Program Definitions](#) document.

Post-Appointment Situations

Type of Staffing Action*	Recourse Mechanism	Access to Recourse
Assessment stage for retention process in workforce adjustment situations	Individual Feedback followed by Decision Review	Employees assessed
Placement stage for retention process in workforce adjustment situations	Individual Feedback followed by Decision Review	Employees who will not be retained in their substantive position
End of term contract prior to original date	Individual Feedback	Employee who's term contract is ending prior to original date
Rejection on probation of a permanent or term employee	Individual Feedback followed by Decision Review	Employee rejected on probation
Revocation of permanent appointment not related to corrective measures of an internal <i>selection process</i> * or internal <i>staffing action</i> *	Individual Feedback followed by Decision Review or Independent Third Party Review	Employee whose appointment is revoked
Refusal to grant Preferred Status *	Individual Feedback followed by Decision Review	Employee whose request for <i>Preferred Status</i> * is refused
Appointment of individual with <i>Preferred Status</i> *	Individual Feedback followed by Decision Review	Regional individuals with <i>Preferred Status</i> *
Individuals with <i>Preferred Status</i> * who are not considered or not appointed	Individual Feedback followed by Decision Review	Regional Individuals with <i>Preferred Status</i> *

* Words followed by an asterisk are defined in the [Staffing Program Definitions](#) document.

3. General information

- 3.1** For recourse notification purposes, at a minimum, “work unit” refers to the smallest organizational unit to which an employee can belong. *Authorized Persons** may expand the *area of selection** to ensure that recourse is provided appropriately to include employees who may otherwise be qualified. Accordingly, the *area of selection** should be determined so as to include these employees. For further information, refer to [Annex C, Directive on Area of Selection](#) of the Staffing Program.
- 3.2** In all cases, Individual Feedback (IF) must precede Decision Review (DR) or Independent Third Party Review (ITPR).
- 3.3** A request for Individual Feedback must be received within seven calendar days of the date of *notification** of the assessment or staffing decision. The requestor must use the mandatory standardized form, [Request for Individual Feedback \(RC136\)](#).
- 3.4** A request for Decision Review or request for Independent Third Party Review must be received within seven calendar days of the date the candidate was informed of the final results of Individual Feedback. The requestor must use the mandatory standardized form, [Request for Decision Review \(RC135\)](#) or [Request for Independent Third Party Review \(RC117\)](#).
- 3.5** There is no formal recourse for external selection processes. However *Authorized Persons** will address concerns raised by candidates and take corrective action when required.
- 3.6** *Acting extensions** are cumulative, unless there is at least a one-day break.
- 3.6.1** **For acting appointments with or without a selection process,** once IF and DR have been offered, no further recourse will be given on subsequent extensions.

* Words followed by an asterisk are defined in the [Staffing Program Definitions](#) document.

- 3.7** The action of verifying performance and the content of the *Employee Performance Management Report** are not subject to recourse as part of the *selection process**. The appropriate recourse to challenge the content of an *Employee Performance Management Report** is the grievance procedure. A candidate's job performance will be verified before commencing the assessment stage and before finalizing a placement decision. For further information, refer to [Annex E, Directive on the Selection Process](#) of the Staffing Program.
- 3.8** When a more in-depth assessment of a *competency*/qualification** assessed previously as part of the same *selection process** or an additional *competency*/qualification** is assessed at the placement stage, the applicable recourse, Individual Feedback followed by Decision Review, will be available to candidates regarding the results of the assessment, as to determine if the assessment is *arbitrary**.

Subsequently, when placement occurs the applicable recourse, Individual Feedback followed by either Decision Review or Independent Third Party Review (for permanent promotions), will be available to candidates regarding the *placement criteria** used, as to determine if the use of the *placement criterion** is *arbitrary**.

For example: the manager decides to further assess Effective Interactive Communication at the placement stage by inviting the candidates to make a presentation. Candidates, who undergo further assessment, will have access to Individual Feedback followed by Decision Review in regards to the assessment results. Then, when the manager notifies the qualified candidates of the placement decision, the candidates will have access to Individual Feedback followed by either Decision Review or Independent Third Party Review regarding the rationale for the use of the *placement criterion** (i.e. more in-depth Assessment of a *competency*/qualification** linked to work specific requirements) not the assessment results.

4. Grounds for Recourse

- 4.1** In all cases, the grounds for recourse for Individual Feedback, Decision Review and Independent Third Party Review is whether the employee exercising recourse was treated in an arbitrary way. The focus should be on the treatment of the individual in the process and not on the evaluation of other candidates/employees.

* Words followed by an asterisk are defined in the [Staffing Program Definitions](#) document.

4.2 The term arbitrary* is defined as follows:

“In an unreasonable manner, done capriciously; not done or acting according to reason or judgment; not based on rationale or established policy; not the result of a reasoning applied to relevant considerations; discriminatory, i.e., as listed as the prohibited grounds of discrimination in the [Canadian Human Rights Act](#).”

4.3 For each of the three recourse mechanisms, the review must be limited to circumstances that are directly related to the stage in question of the assessment, internal *selection process** or internal *staffing action**. For example, the Independent Third Party Review will be limited to decisions made during the placement stage of the internal *selection process**.

5. Access to Information and Privacy (ATIP)

5.1 Recourse for the Staffing Program is subject to the [Access to Information Act](#) and the [Privacy Act](#).

6. Disclosure of Information

6.1 Decisions concerning the disclosure of information are the responsibility of the *Authorized Person** in compliance with the *Access to Information Act* and the *Privacy Act*.

6.2 For Individual Feedback, Decision Review and Independent Third Party Review, *Authorized Persons** must not disclose personal information of other candidates/employees without those candidates/employees' express written permission, except where it involves a placement decision and the consistent use criteria are satisfied⁵.

6.3 It is mandatory that *Authorized Persons** disclose, upon request, prior to the Individual Feedback, all information relevant to the candidate/employee who is exercising recourse (including the employee's own results). The exception to this is any information that could compromise security or the integrity of any *standardized assessment tool** or any information that would contravene the *Privacy Act*. Further details on the responsibilities of *Authorized Persons** for provision of recourse is described in sections 8, 9 and 10 of this Directive.

* Words followed by an asterisk are defined in the [Staffing Program Definitions](#) document.

⁵ According to the *Privacy Act*, art. 8

6.4 When *placement criterion**, more in-depth assessment of a *competency*/qualification** already assessed linked to work specific requirements or additional *competency*/qualification** linked to work specific requirements, is used at the placement stage, related information could be disclosed unless the assessment was made using a *standardized assessment tool**.

6.4.1 Information about the selection process can only be disclosed to demonstrate that the assessment of the candidates was consistent. It should be noted that the purpose of an exchange of information is not to validate the results and that anything unrelated to the placement should not be addressed by the Independent Third Party Reviewer. For further information, refer to [Understanding Recourse: A Guide for Managers](#) (section 7).

7. Corrective Measures

7.1 *Authorized Persons** are accountable for taking appropriate corrective measures in a timely manner. During the assessment, internal *selection process** or internal *staffing action**, these corrective measures must be taken and documented within 30 calendar days after the decision is issued, unless the operational requirements or the volume of work that will be required to apply the corrective measures do not permit this.

7.2 When corrective measures cannot be applied within the prescribed time, the *Authorized Person** must advise the candidates/employees involved, in writing, of the alternate date on which the corrective measures will be applied.

7.3 When the reviewer prescribes corrective measures following an Independent Third Party Review, the *Authorized Person** communicates in writing on how the measures were implemented to the parties, to his or her Assistant Commissioner, the [National Conflict Resolution Office](#) and the Competencies, Performance, Recognition and Recourse Division, within 30 calendar days from the date of the reviewer's decision.

7.3.1 When corrective measures cannot be applied, the *Authorized Person** must also provide a written explanation of why the corrective measures cannot be applied.

* Words followed by an asterisk are defined in the [Staffing Program Definitions](#) document.

7.4 The corrective measures that the Independent Third Party Reviewer may prescribe are limited to:

- **Ordering** the *Authorized Person** that an error in the internal *selection process** or internal *staffing action** be corrected. The ITPR Reviewer has no authority to order the Authorized Person as to how the error should be corrected;
- **Recommending** the revocation of the employee's appointment, if required;
- **Recommending** that another *Authorized Person** be involved in the decision.

7.5 Recourse, under the Staffing Program, is not available following corrective measures, but *Authorized Persons** must address candidates' concerns if the need arises.

8. Roles and Responsibilities for Individual Feedback (IF)

8.1 **The *Authorized Person** responsible for the assessment, internal *selection process** or internal *staffing action** or his or her delegate (e.g., Selection Board Member, *Pool Administrator**, *Resourcing Advisor**, *Competency Consultant** or *Technical Competency Assessor**):**

- 8.1.1 Will communicate, in a timely manner, assessment, internal *selection process** or internal *staffing action** results to candidates/employees at each of the stages (action taken, *placement criteria** chosen and candidates to be placed) when appropriate.
- 8.1.2 Will provide Individual Feedback upon request to the appropriate individuals at each of the stages of the internal *selection process** or following other assessment or internal *staffing actions** for which Individual Feedback is a recourse mechanism.
- 8.1.3 May choose to conduct Individual Feedback verbally (in person or by telephone) or in writing (by letter or e-mail) through one or more sessions, as may be required or reasonable to address the candidate's/employee's concerns.
- 8.1.4 Will provide Individual Feedback in the official language of the candidate's/employee's choice.

* Words followed by an asterisk are defined in the [Staffing Program Definitions](#) document.

- 8.1.5** Will take the time to review any relevant documents, questions, or discussion points prior to providing the Individual Feedback.
- 8.1.6** Will provide the candidate/employee with meaningful information regarding his or her own assessment.
- 8.1.7** Will limit the Individual Feedback session to the participation of the candidate/employee and himself or herself except in cases where it is necessary to provide accommodation, for example, a sign interpreter.
- 8.1.8** Will review the decision relevant to the candidate's/employee's concerns and respond to any questions the candidate/employee may have regarding that stage of the internal *selection process** or the assessment or internal *staffing action**.
- 8.1.9** Will provide the candidate/employee with access to his or her own evaluation documents and will provide a copy in advance upon request, except for *standardized assessment tools** that may have been used.
- 8.1.10** Will provide appropriate information to explain the basis upon which the assessment or staffing decision was made. The candidate/employee should not be provided with any assessment information regarding other candidates/employees, which would contravene the [Privacy Act](#).
- 8.1.11** Should take advantage of the Individual Feedback session as an opportunity to provide candidates/employees with information that will assist in the management of their careers (e.g., how to obtain *qualifications** or [competencies](#)* required for the position).
- 8.1.12** Will provide Individual Feedback within 28 calendar days of receipt of the request for Individual Feedback unless the volume of requests for recourse or operational requirements do not permit this.
- 8.1.13** Will advise candidates/employees in writing if Individual Feedback is to take place beyond the 28 calendar days and inform them of the date when the Individual Feedback should take place. A written rationale explaining the reason of the extension must be placed in the file.

* Words followed by an asterisk are defined in the [Staffing Program Definitions](#) document.

- 8.1.14 Will take necessary corrective measures where appropriate, including allowing the candidate/employee to continue as a candidate in the internal *selection process**.
- 8.1.15 For monitoring purposes, will document the key points of the discussions, including any action items and/or corrective actions and will forward the information to the Resourcing Centre of Expertise.

8.2 The Candidate/Employee

- 8.2.1 For candidates/employees who wish to receive Individual Feedback, the request must be received by the *Authorized Person** within seven calendar days of the *date of notification** of the assessment or staffing decision.
- 8.2.2 Must clearly articulate the nature of his or her concerns using the mandatory standardized form, [Request for Individual Feedback \(RC136\)](#).
- 8.2.3 Is encouraged to actively participate in the Individual Feedback session in order to further the management of his or her career.
- 8.2.4 Is encouraged to share the feedback information with his or her supervisors, where appropriate, so that it may be considered in the employee's learning plan.

8.3 The *Resourcing Advisor**:

- 8.3.1 Will provide advice and guidance to the *Authorized Person** regarding Individual Feedback requests.
- 8.3.2 Upon receipt of a copy of the mandatory standardized form, [Request for Individual Feedback \(RC136\)](#), will ensure that the required information is entered into the *Corporate Administrative System** (CAS).

* Words followed by an asterisk are defined in the [Staffing Program Definitions](#) document.

9. Roles and Responsibilities for Decision Review (DR)

9.1 The *Authorized Person responsible for the assessment, internal selection process* or internal staffing action* or his or her delegate (e.g., Selection Board Member, Pool Administrator,* Resourcing Advisor*, Competency Consultant* or Technical Competency Assessor*):**

- 9.1.1** Will forward a copy of the mandatory standardized form, [Request for Decision Review \(RC135\)](#) to the *Decision Reviewer**, along with a summary of facts and the results of the Individual Feedback.
- 9.1.2** May choose to be accompanied by an individual of his or her choice during the Decision Review. The role of the accompanying person is that of an observer.
- 9.1.3** Is responsible for decisions involving the disclosure of information in compliance with the [Privacy Act](#).
- 9.1.4** Is responsible to implement any corrective measures as a result of Decision Review.

9.2 The *Decision Reviewer**

- 9.2.1** May mandate a person to gather the facts on his or her behalf. However, the *Decision Reviewer** remains responsible for making the final decision in this review.
- 9.2.2** Will review the documentation (including concerns, summary of facts, and results of Individual Feedback) and make any additional inquiries as necessary.
- 9.2.3** May choose to conduct the Decision Review verbally (in person or by telephone) or in writing (by letter or e-mail).
- 9.2.4** Shall conduct any meetings or interviews in the official language of choice of the candidate/employee.
- 9.2.5** Must ensure that the review is conducted in an impartial manner and that the *Authorized Person** and the candidate/employee exercising recourse have the opportunity to present their views.

* Words followed by an asterisk are defined in the [Staffing Program Definitions](#) document.

- 9.2.6** Shall conduct the review and gather such information as is required in order to come to a decision. Generally, the review is comprised of the following steps:
- Review documentation presented by the candidate/employee and *Authorized Person** or delegate;
 - Gather additional information, as required;
 - Analyze the facts; and
 - Make the final decision in writing and ensure that it is recorded in the staffing file or the employee's competency profile.
- 9.2.7** May also request internal subject matter experts to provide policy or procedural-related interpretations.
- 9.2.8** If the review relates to the assessment of the candidate/employee using a [standardized assessment tools](#)* and the reviewer is not certain if the assessment decision made at this stage was relevant or if clarifications are needed, the reviewer must consult the [Resourcing Standards and Assessment Services](#) (RSAS) in the Resourcing Division.
- 9.2.9** Will inform [Resourcing Standards and Assessment Services](#) (RSAS) in the Resourcing Division, through his or her Resourcing Centre of Expertise, of all Decision Review cases relating to [standardized assessment tools](#)* for statistical purposes.
- 9.2.10** Should designate⁶ any record or personal information as “protected-B” in keeping with the requirements of the [Privacy Act](#). Personal information regarding other candidates/employees may not be disclosed without their written permission unless it involves a placement decision and the consistent use criteria have been satisfied, according to the article 8.2 of the *Privacy Act*.

* Words followed by an asterisk are defined in the [Staffing Program Definitions](#) document.

⁶ As per [CRA Policy “Identifying Classified and Protected Information and Assets”](#)

- 9.2.11** Will issue the decision to candidate/employee and *Authorized Person** in writing within 28 calendar days of receipt of the request for Decision Review, unless the volume of requests for recourse or the operational requirements do not permit this, in the preferred official language of the candidate/employee. The written decision is not a record of everything that was said or done during the review, but rather a record of the findings.
- 9.2.12** Will advise candidates/employees and the *Authorized Person** in writing if the Decision Review is to take place beyond the 28 calendar days and inform them of the date when the review should take place. A written rationale explaining the reason of the extension must be placed in the file.
- 9.2.13** To issue the written decision, will use the mandatory standardized form, [Response to Request for Decision Review \(RC137\)](#) and send a copy to the Resourcing Centre of Expertise.
- 9.2.14** Must state in the decision whether corrective action must be taken in this process for those cases where the finding is that the treatment of the candidate/employee exercising recourse was *arbitrary**.
- 9.2.15** Must limit corrective measures to those actions required to correct the error made during that assessment or internal *staffing action** or stage of the internal *selection process**.
- 9.2.16** Shall ensure that corrective measures are taken by the *Authorized Person** and documented within 30 calendar days after the decision is issued unless the volume of work or operational requirements prevent him or her from doing so. In this case, corrective measures will need to be applied as soon as possible.

9.3 The Candidate/Employee

- 9.3.1** Must submit a written request for Decision Review to the *Authorized Person** using the mandatory standardized form, [Request for Decision Review \(RC135\)](#) only after being notified, orally or in writing, of the final results of Individual Feedback.
- 9.3.2** This request must be received within seven calendar days of receiving the final results of Individual Feedback.

* Words followed by an asterisk are defined in the [Staffing Program Definitions](#) document.

9.3.3 Will need to ensure that his or her concerns are sufficiently detailed to allow the *Decision Reviewer** to respond to them; otherwise, the request risks being rejected by the *Decision Reviewer** due to insufficient grounds.

9.3.4 May choose to be accompanied by an individual of his or her choice during the Decision Review. The role of the accompanying person is that of an observer.

9.4 The *Resourcing Advisor:**

9.4.1 Will provide advice and guidance to the *Authorized Person** or delegate regarding Decision Review requests/cases.

9.4.2 Upon receipt of a copy of the mandatory standardized form, [Request for Decision Review \(RC135\)](#), will ensure that the required information is entered into the *Corporate Administrative System (CAS)*.

10. Roles and Responsibilities for Independent Third Party Review (ITPR)

Relevant information is available in the [Independent Third Party Review Processing Directive](#).

10.1 The *Authorized Person responsible for the placement, internal selection process* or internal staffing action***

10.1.1 Will receive a copy of the ITPR request from candidates/employees who have received Individual Feedback and have elected not to avail themselves of Decision Review.

10.1.2 Will consult his or her *Resourcing Advisor* as soon as the information is received indicating that a request for ITPR has been made.

10.1.3 Will attempt to resolve the matter with the candidate/employee before the [National Conflict Resolution Office](#) (NCRO) assigns the file to an Independent Third Party reviewer.

* Words followed by an asterisk are defined in the [Staffing Program Definitions](#) document.

- 10.1.4** Will inform candidates that have been selected for placement that an ITPR process is being initiated and that they are entitled to partake in the review process. Will transmit to the Independent Third Party Reviewer the names of the candidates who are interested in participating in the ITPR.
- 10.1.5** Will collect all the information in preparation for the ITPR.
- 10.1.6** Will be provided the opportunity to present his or her case to the Independent Third Party Reviewer.
- 10.1.7** May choose to be represented by an individual of his or her choice, including a *Resourcing Advisor**, taking into account that person's availability to ensure that the resolution of the matter is not unduly delayed.
- 10.1.8** Subject to the [Access to Information Act](#) and the [Privacy Act](#), will provide any relevant information and/or documentation to the Independent Third Party reviewer related to the placement stage of the internal *selection process** or to the permanent promotion without selection process or the revocation of a permanent appointment not linked to the implementation of corrective measures.
- 10.1.9** Will be responsible for decisions involving the disclosure of relevant information during the ITPR.
- 10.1.10** Will prepare a written response with respect to the issues/allegations within the timelines determined by the reviewer, as required.
- 10.1.11** Will provide input into any possible corrective measures.
- 10.1.12** Will diligently implement the corrective measures issued by the reviewer, in as much as these are contained within the authority given to the reviewer in this area.
- 10.1.13** Will ensure that corrective measures are taken and documented within 30 calendar days after the decision is issued unless the volume of work or operational requirements prevent him or her from doing so. In this case, corrective measures will need to be applied as soon as possible.

* Words followed by an asterisk are defined in the [Staffing Program Definitions](#) document.

10.2 The Candidate/Employee

- 10.2.1 Must submit a written request for ITPR to the [National Conflict Resolution Office](#) (NCRO) using the mandatory standardized form, [Request for an ITPR \(RC117\)](#) only after being notified, orally or in writing, of the final results of Individual Feedback. A copy of the request must also be sent to the *Authorized Person**.
- 10.2.2 This request must be received **within seven calendar days** of receiving the final results for Individual Feedback.
- 10.2.3 Will need to ensure that his or her concerns are sufficiently detailed to allow management to respond to them; otherwise, the request risks being rejected by the NCRO due to insufficient grounds.
- 10.2.4 Should attempt to resolve the matter with the *Authorized Person** prior to forwarding the request to the NCRO.
- 10.2.5 May choose to be represented by an individual of their choice, taking into account that person's availability to ensure that the resolution of the matter is not unduly delayed.

10.3 The *Resourcing Advisor**

- 10.3.1 Will provide advice and guidance to *Authorized Persons** throughout the ITPR.
- 10.3.2 Will consult the Regional Resourcing Program Technical Consultant regarding ITPR requests/cases.

10.4 The Regional Resourcing Program Technical Consultant

- 10.4.1 Will provide advice and direction to the assigned *Resourcing Advisors** who support the ITPR cases.
- 10.4.2 Will inform the Competencies, Performance, Recognition and Recourse Division of all ITPR cases and progress made.

* Words followed by an asterisk are defined in the [Staffing Program Definitions](#) document.

10.5 Competencies, Performance, Recognition and Recourse Division

10.5.1 Will provide advice and direction to Resourcing Centres of Expertise involved in ITPR cases.

10.5.2 Will conduct the necessary follow-up and monitoring.

References

- *Access to Information Act*
<http://laws.justice.gc.ca/en/a-1/text.html>
- CRA Conflict Resolution Policy
<http://infozone/english/r2732472/ec-ce/dirPol/conflictResolution-e.asp>
- *CRA Independent Third Party Review (ITPR) Processing Directive*
<http://infozone/english/r2732472/ec-ce/dirPol/itprGuidelines-e.asp>
- *Canadian Human Rights Act*
<http://laws.justice.gc.ca/en/H-6/index.html>
- *Competency-Based Human Resources Management web site*
<http://infozone/english/r2732472/ec-ce/cbhrm-grhac/index-e.asp>
- *Directive on Area of Selection (Annex C of the Staffing Program)*
<http://infozone/english/r2732472/hrpolicy/staffing/AnnexE.pdf>
- *Dispute Management*
<http://infozone/english/r2732472/ec-ce/dirPol/itpr/index-e.asp>
- *Official Languages Act*
<http://laws.justice.gc.ca/en/O-3.01/index.html>
- *Privacy Act*
<http://laws.justice.gc.ca/en/P-21/index.html>
- *Resourcing Standards and Assessment Services*
<http://infozone/english/r2732472/ec-ce/rsas-nrpse/index-e.asp>
- *CRA Staffing Program*
<http://infozone/english/r2732472/hrpolicy/staffing/Program.pdf>
- *Understanding Recourse: A Guide for Managers*
<http://infozone/english/r2732472/hrb-dgrh/connected/staffing/tools/uRecourse-e.asp>