

The Appeal Process

Have you recently been denied a request that affects your pension?

If you disagree with any decision by the Plan administrator, Alberta Pensions Services Corporation (APS), that affects your pension plan status or benefit payments, you may have that decision reviewed. If you disagree with the results of that review, you may have the decision reviewed by the Local Authorities Pension Plan (LAPP) Board of Trustees. This Information Sheet presents detailed guidelines to use if you are not satisfied with a decision made by us.

However, before you ask for recourse from the Local Authorities Pension Plan Board of Trustees, there are two steps you should take.

1. *Seek an explanation*

If you have a concern with a decision made by APS, phone 1-877-649-LAPP (5277) to find out more about the decision made. Our staff may be able to answer your questions or explain pension plan regulations.

2. *Request an administrative review*

Do you believe we may have overlooked some important information? A second look at your request may clarify either your request or APS's decision.

Write a letter to LAPP c/o Alberta Pensions Services Corporation at 5103 Windermere Blvd. SW, Edmonton, Alberta, T6W 0S9, and ask for an administrative review of the decision. Be sure to detail your concern with the decision and why you believe it should be reviewed. Please include your social insurance number and employer name and address in your letter.

The administrative review is a more detailed look at the nature of the decision affecting your pension plan status. Corporation management will

closely examine your submission, the information in your file and the decision. They will ensure legislation and/or administrative policy has been correctly applied. We will then respond to you in writing with its findings.

Your request for an administrative review should be made **in writing, within 30 days from the date you received the written decision with which you disagree.**



The appeal process

It may be that your request has been denied by APS because legislated provisions are being enforced and we are not able to comply with your request. However, if you've spoken with our staff and had an administrative review and still disagree with the decision, you have the right to appeal the decision to the LAPP Board.



The request for an appeal must be made in writing within 60 days following the date of the letter advising you of the outcome of the administrative review. (The Board may, in some instances, extend this time limit).

To file an appeal include a written statement explaining your position on the matter with your request.

Your written statement should include:

- the grounds for the appeal review — basically outlining your point-of-view and the reasons you believe the Board should deal with your case;
- the facts; and
- the remedy you are seeking.

A committee of the LAPP Board of Trustees will review your case. This committee is made up of members of the Board and it is responsible for conducting appeals of members. The Committee will conduct a thorough review of the facts and documentation before making a recommendation to the Board.

If necessary, the Committee will invite you to attend the appeal hearing to present your case to the Board. If you are asked to attend, the Board will pay your reasonable expenses associated with attending the hearing. If you decide not to attend your hearing, you may appoint a representative to present your case. The Board will not pay any expenses associated with the representative who appears on your behalf.

Preparing for your appeal hearing

Once your appeal has been received, an APS representative will contact you to assist you with the appeal process and in preparing for your hearing.

The hearing

If you or your representative appears before the Committee, an APS representative will appear at the review also.

The Committee will proceed by considering the case description and any verbal evidence presented. After you and/or your representative present your case, then APS will present their case. Cross-questioning between you, APS and the Committee may then occur to ensure a complete understanding of the case.

If neither you nor your representative are at the hearing, there will be no APS representative present. In such circumstances, the Board will consider the case description and examine all written submissions before coming to a decision.

Third parties may be given permission to attend your hearing as long as the Committee is satisfied that such parties have a legitimate interest in the outcome of the case.

The decision

After reviewing all the information pertaining to your case, the Committee will make a recommendation to the Board. The Board will consider the recommendation of the committee before making a decision. Once the Board makes a decision, the Board will provide you with its decision, in writing.

It is important to note that the Board is governed by legislation and therefore can only award benefits as indicated in the legislation.

Need information?

Alberta Pensions Services Corporation (APS) proudly serves LAPP and provides responsive and focused member service on behalf of the Plan.

If you have questions or need assistance with your request for an administrative review, or filing an appeal, please call APS through the Member Services Centre at 1-877-649-LAPP (5277). ☎

Our Address is:

LAPP c/o Alberta Pensions Services Corporation
5103 Windermere Blvd. SW
Edmonton, Alberta
T6W 0S9

E-mail: memberservices@lapp.ca

Websites: www.lapp.ca
www.apsc.ca

This information package provides general information only. Should anything in the package conflict with governing legislation, the latter shall apply