

CGC COMPLAINTS MECHANISM¹

The Canadian GeoExchange Coalition (CGC)

The CGC acts as the industry catalyst to unite private and public sector stakeholders, and to expand the market for geoexchange™ technology in Canada. The Canadian geoexchange industry is on a critical path towards achieving market transformation. As the nexus of information, training, certification, industry standards and public awareness, our mandate is to work with stakeholders to build the necessary infrastructure to foster the growth of the Canadian geoexchange™ industry.

The CGC Code of Conduct

On August 11, 2005, the CGC Board of Directors approved the establishment of the *CGC Code of Conduct*. This code of conduct is a set of written standards demonstrating geoexchange (*a.k.a.* earth energy, geothermal heating and cooling, GSHP, *et al.*) industry stakeholders' commitment to uphold expected behaviours and to promote and maintain the highest standards of personal and professional conduct.

As part of the *CGC Global Quality GeoExchange™ Program®*, participants sign an affidavit recognizing that although **membership in the CGC is not mandatory** to participate in the program, they have read and agree to abide by the *CGC Code of Conduct* and commit themselves to the highest ethical standards in geoexchange work.

The CGC Global Quality GeoExchange™ Program®

The *CGC Global Quality GeoExchange™ Program®* is a **comprehensive voluntary quality assurance program** with the ultimate objective to protect purchasers of geoexchange systems in the residential, institutional, commercial and industrial sectors for the existing and new construction markets based on the following components:

- **Training** for industry professionals;
- **Accreditation** of industry professionals;
- **Qualification** of design firms and installation contractors
- **Certification** of GeoExchange systems and projects;
- **Communication of the program and its benefits**
- **Implementation of complaint mechanism** between parties.

The program is designed to bring value to industry participants who will benefit from increased market opportunities resulting from increased consumer confidence and its reference in procurement policies of the various stakeholders such as utilities, government agencies and financial institutions.

CGC accredited professionals and qualified companies are voluntarily accountable to the CGC for their professional conduct and the CGC has the moral authority to discipline accredited professionals and qualified companies found guilty of professional misconduct or incompetence.

¹ This document is intended to help understand how the CGC deals with complaints against a CGC accredited professional or a CGC qualified company. The complaints process is intended to deal with the actions and conduct of practitioners, to ensure the customer interest is served and protected.

COMPLAINT PROCESS

1. Guiding Principles

- 1.1. Subject to any applicable legal constraints, the CGC Complaints Mechanism shall be transparent in its operations and output.
- 1.2. The CGC Complaints Mechanism shall be part of the *CGC Global Quality GeoExchange™ Program®*.

2. Scope

- 2.1. The CGC is not empowered to force an individual or a company to correct, repair or otherwise modify or alter work performed by them. Customers or individuals seeking such remedies should consider filing a lawsuit against them.
- 2.2. The CGC Complaints Mechanism does not address complaints regarding allegations of fraud, corruption and other criminal acts. Criminal accusations shall be filed with the relevant authorities and the police.
- 2.3. Complaints about unfair market competition, price fixing, fraudulent marketing and other such activities shall be filed with the Competition Bureau.
- 2.4. Complaints from anonymous parties are inadmissible.
- 2.5. Complaints with the objective to gain a competitive economic advantage or that are excessive, repetitive, clearly frivolous or malicious in nature are inadmissible.
- 2.6. The CGC Complaints Mechanism applies to all complaints lodged against CGC Qualified Companies, CGC Accredited Installers, CGC Accredited Designers, CGC Members or any other industry stakeholders involved in the design and installation of a georexchange system.
- 2.7. For the purpose of the CGC Complaints Mechanism, a complaint is defined as a written expression of dissatisfaction regarding a georexchange project/installation in Canada or against CGC Qualified Companies, CGC Accredited Installers, CGC Accredited Designers, CGC Members or any other industry stakeholders involved in the design and installation of a georexchange system. CGC will accept complaints filed within the framework of:
 - 2.7.1. *The CGC Global Quality GeoExchange™ Program®* and;
 - 2.7.2. *The CGC Code of Conduct*.
- 2.8. All parties must behave in a courteous and professional manner when communicating with the CGC representatives. Complainant or respondent using abusive language or threats, and any party who submits false or misleading information to the CGC with respect to a complaint will be considered as an uncooperative party. If any party refuses to fully cooperate with the CGC concerning matters arising under the *CGC Complaints Mechanism* without good and sufficient cause, the CGC may:
 - 2.8.1. terminate the complaint of an uncooperative complainant, or,
 - 2.8.2. impose any sanction or appropriate corrective action if a respondent is uncooperative.
- 2.9. Where a discipline, order, or other directive is issued by the CGC under the *CGC Complaints Mechanism*, the complainant or respondent may seek review and appeal pursuant to these procedures.

3. Time Limit

- 3.1. In the case of CGC certified systems or complaints under the *CGC Global Quality GeoExchange™ Program®*, complaints must be lodged for issues which happened after January 1st, 2007.
- 3.2. Complaints under the CGC Code of Conduct must relate to events which happened after August 11, 2005.

4. **Methods of Inquiry**

- 4.1. All complaints received under the *CGC Complaints Mechanism* will be treated seriously and thoroughly investigated in a timely manner.
- 4.2. In the context of the inquiry of complaints, the *CGC Complaints Mechanism* serves the following functions:
 - 4.2.1. Evaluate and report on the compliance with the *CGC Code of Conduct*.
 - 4.2.2. Attempt to resolve concerns raised by the complainant as regards, for instance, to an installation issue with a CGC Qualified Company, through a consensual process.
 - 4.2.3. Provide advice and recommendations to the CGC management.
 - 4.2.4. Follow-up and report on efforts to take corrective actions whenever applicable.
- 4.3. The written procedure consisting of the exchange of correspondence among the concerned parties and of the internal review constitutes the standard investigatory procedure of the *CGC Complaints Mechanism*.
- 4.4. The CGC may, taking into account the nature of the particular complaint, use a variety of additional investigatory methods, including but not limited to:
 - 4.4.1. Contacts with the complainant, affected people, government officials and other local authorities where the project is located;
 - 4.4.2. Visiting and auditing project sites to verify conformity with codes and standards;
 - 4.4.3. Requesting written submissions on specific issues from the complainant, affected people, independent experts, government officials, contractors, and other parties involved;
 - 4.4.4. Hiring independent experts to research specific issues relating to the complaint.

FILING A COMPLAINT (HOW TO COMPLAIN)

1. Filing a complaint is a serious issue. Before filing a complaint, make sure your facts are straight and evidence clear and well documented.
2. If possible, all complaints should answer the following questions:
 - 2.1. What company or individual is your question or complaint about? (Please identify by name)
 - 2.2. Who have you dealt with in this organization with respect to your complaint?
 - 2.3. Please summarize the matter you are complaining about and include any relevant dates.
 - 2.4. Summarize what steps you have taken to try and resolve your complaint including any grievance, appeals and/or requests for reconsideration you have submitted and what response you received?
 - 2.5. If you have received a final decision on an appeal or request for review or reconsideration of your complaint, please indicate what the result was and why you feel this was unfair.
 - 2.6. If you consider the matter urgent, please explain why.
3. A complaint can be lodged via a written communication addressed to the President and CEO of the CGC, via e-mail to the dedicated email address complaints@geoexchange.ca or, preferably, by completing the online complaint form available at the following address: www.geoexchange.ca
4. The CGC will not follow up on any unsubstantiated verbal complaints.
5. Complaints can be filed in English or French. The decision shall be rendered in the language of the complaint.

If you have any questions, please contact us by e-mail at: complaints@geoexchange.ca

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