

special forces

pension plan

right of recourse

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

If you disagree with any decision that affects your pension plan status or benefit payments, you have a right to have that decision reviewed; if you disagree with the results of that review, you may have the right of recourse. This is described briefly in your Special Forces Pension Plan (SFPP) *Member's Handbook*. This Information Sheet presents more detailed guidelines about what to do if you are not satisfied with a decision made by Alberta Pension Services Corporation (APS), SFPP's pension administrator. However, before you ask for recourse from the Special Forces Pension Plan Board, there are two steps that you should take.

1. seek an explanation

If you have a concern with a decision made by APS, phone 1-877-809-SFPP (7377) 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

While administrative efficiency is a goal, your rights are even more important. Should a misunderstanding occur, whatever its nature, a second look at your request may clarify either your request or APS' decision.

do you believe we may have overlooked some important information?

Write a letter to Alberta Pensions Services Corporation at 5103 Windermere Blvd. SW, Edmonton, Alberta, T6W 0S9, include this information 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.

This review is a more detailed look at the nature of the decision affecting your pension plan status. APS management will closely examine your submission, the information in your file and the decision. They will ensure that legislation and/or administrative policy has been correctly applied. We will then respond to you in writing with the 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.

right of recourse

If you have spoken with our staff, had an administrative review, and still disagree with the decision, you have the right to ask the SFPP Board for a review.

The request for a Board review must be made in writing within 60 days following the date of the letter advising you of the outcome of the administrative review. (This time-limit may be extended by the Board).

When you request a Board review, include a written statement explaining your position on the matter. This may be done by letter or by using the form available from your employer or APS.

Your written statement should include:

- the grounds for the Board 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 case description will be prepared by APS that will include background information on your case and the rationale behind the original decision made.

Because all the necessary information is presented to the Board in writing, it is not normally necessary for you to attend the hearing. If, however, the Board determines that your presence is necessary, you will be invited to attend. Reasonable out-of-pocket expenses will be paid by the Board.

When you request a Board review, you:

- have the right to fair and unbiased procedures, and reasonable decisions;
- may have the details of your case heard by the Board;
- will receive adequate notice of a hearing;
- produce evidence and respond to evidence given; and,
- will receive in writing the reasons for the final decision made by the Board.

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

preparing for your hearing

You will receive written confirmation of the time, date and location of your hearing at least seven days before the hearing date. Included with the confirmation note will be a copy of the case description of your appeal.

the hearing

The Board will consider the case description and examine all written submissions before coming to a decision.

If you are invited to attend the hearing, an APS representative will also be asked to attend. Cross-questioning between you, APS and the Board may then occur to ensure a complete understanding of the case.

the decision

The Board will notify you and APS of its decision, and the reasons for the decision, within 10 days after the date of the review.

need information?

Alberta Pensions Services Corporation (APS) proudly serves SFPP 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 your right of recourse, please call APS through the Member Services Centre at 1-877-809-SFPP (7377). Your employer may also be able to assist you.

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