



AASHTO Accreditation Policy on Appeals

Policy taken from Section 4.5 of the [Procedures Manual for the Accreditation of Construction Materials Testing Laboratories](#).

4.5. **Appeal Procedure** - A laboratory denied accreditation or whose accreditation has been revoked has the right of appeal if it believes it has submitted sufficient information to warrant accreditation. AASHTO uses a two-level appeal procedure as documented below. Accreditation will continue to be denied or revoked throughout the appeals process unless the original decision has been overturned.

4.5.1. **First-Level Appeal** - A laboratory makes a first-level appeal by sending explanations and supporting documentation to AASHTO re:source. The appeal and supporting documentation must be sent within 30 calendar days from receiving notice of denial or revocation. Upon receipt of an appeal, AASHTO re:source prepares a memorandum for the Chair of the AASHTO re:source Administrative Task Group (ATG) presenting the appeal and the laboratory's supporting documentation. AASHTO re:source sends the memorandum and supporting documentation to the six voting members of the ATG which includes the Chair, the Secretary, and the four regional representatives for comments and recommendations.

Based on all the comments and recommendations made, the ATG Chair prepares a first-level appeal ballot for the voting members requesting that they agree or disagree with the recommendation of the Chair. Support of at least 2/3 of the voting members of the ATG is required to uphold the recommendation of the Chair. If the recommendation is not upheld, the opposite position is the ruling of the ATG.

The laboratory is notified of the decision on its appeal by certified mail, return receipt requested. Decisions are mailed within 15 calendar days from when the decision is made by the ATG. If the appeal is denied, the notification letter will include the reason for the denial and information on the second-level appeal process which is available to the laboratory. If the laboratory decides to resolve the issue, the laboratory must provide AASHTO re:source with evidence of corrective action taken. If the appeal is granted, the scope of the laboratory's accreditation is revised to include the additional test(s).

4.5.2. **Second-Level Appeal** - A laboratory may make a second-level appeal by informing the Chair of the Committee on Materials and Pavements (COMP) in writing within 30 calendar days after receipt of the denial of the first-level appeal. A special review panel comprised of the COMP Chair and three members chosen by the COMP Chair from the COMP is established to hear the second-level appeal. Members of the ATG who participated in the first-level appeal are not eligible for membership on the panel. The laboratory will be notified in writing of the appeal hearing time. At the discretion of the COMP Chair, the hearing may be either a face-to-face meeting or a telephone conference call between the panel and the laboratory representative. The hearing will be held within 45 calendar days of receiving the notice of the second-level appeal.

Travel expenses for panel members participating in the appeal hearing will be covered by AAP, while the laboratory will be responsible for its expenses related to the hearing. Following the hearing, AASHTO re:source, in consultation with the COMP Chair, will ballot the panel. On the ballot, the panel will vote to either support or deny the appeal. Support by at least three members of the panel will be required to grant the appeal; otherwise, the appeal is denied.

The laboratory is notified of the decision on its second-level appeal within 30 calendar days of the hearing by certified mail, return receipt requested. If the appeal is denied, the laboratory may decide to resolve the issue by providing AASHTO re:source with evidence of the corrective action taken. If the appeal is granted the scope of the laboratory's accreditation is revised to include the additional test(s).