

- ★ **11. Appeal Procedure.** Any person or organization directly aggrieved by determinations or rulings made by a division of the Rating Bureau regarding the application of policy provisions, or the Manual Rules contained in the New Jersey Workers Compensation and Employers Liability Insurance Manual, shall be entitled to request an appeal as set forth herein.

If the appeal involves premium determinations, no appeal shall be considered unless:

- All undisputed premium has been paid to the insurer.
- The appeal is presented to the Governing Committee prior to an effective date of cancellation of coverage.
- The appeal is presented to the Governing Committee prior to commencement of collection or other legal proceedings by the insurer.

All appeals shall be submitted, in writing, to the Director of the Division responsible for the original determination. Appeal submissions shall identify the employer, insurer, producer, policy number, policy term and shall contain sufficient detail as to the appellant's stance, including premium calculations, to determine the nature and basis of the appeal.

Upon receipt and review, the Division Director may schedule an informal conference with the employer, a representative of the insurer, the designated producer and other representatives of the parties as deemed appropriate.

The purpose of the informal conference shall be an attempt to arrive at a reasonable and equitable resolution of the matter after review of all facts and circumstances. After the conference, the division representative shall provide the participants with a written summary of the conference agreements and conclusions.

In the event an informal conference is unsuccessful in resolving the dispute, further written appeal may be presented to the Rating Bureau's Executive Director.

Continued lack of resolution shall be appealed to the Governing Committee. Final determination of the Governing Committee may be appealed to the Commissioner of Banking & Insurance in accordance with N.J.S.A. 34:15-89.

Notice of any hearing before the Governing Committee shall be mailed at least 10 days before the date scheduled for the proceeding. A written decision shall be provided to the parties within 30 days of the conclusion of the hearing. This procedure shall apply to business conducted in both the voluntary and residual markets.