



## **PROCEDURES FOR DEVELOPING AMERICAN NATIONAL STANDARDS**

### **1. INTRODUCTION**

This document defines the Operating Principles and Procedures that will be followed by the National Floor Safety Institute (NFSI) to comply with the requirements of American National Standards Institute (ANSI) for Accredited Standards Developers that are defined in "ANSI Essential Requirements: Due process requirements for American National Standards". Where the NFSI Operating Principles and Procedures are silent on an issue, the American National Standards Institute's Essential Requirements document referenced above, shall serve as the precedent document.

When operating outside of the ANSI Essential Requirements Procedures and this document, titled "Procedures for Developing American National Standards", the Bylaws of The National Floor Safety Institute shall be followed.

### **2. ORGANIZATION**

#### **2.1 Standards Development Committees -**

The NFSI shall have such committee(s), as may from time to time be designated by resolution of the NFSI Board of Directors, to develop draft standards for approval as American National Standards. The(se) committee(s) may consist of directly and materially affected persons who are not members of the NFSI. Where the word "Committee" with initial capitalized C is referenced, it means the NFSI B101 Main Committee (the consensus body). The Secretary shall designate the Committee Chair and Vice-Chair. The Vice-Chair shall carry out the Chair's duties if the Chair is temporarily unable to do so.

#### **2.2 Scope of National Standards Committee**

To develop safety standards intended to provide preventative measures in all manner of pedestrian ambulatory safety in regards to slips, trips, and falls and is titled B101 Safety Requirements for Slip, Trip and Fall Prevention.

#### **2.3 Committee Secretary**

NFSI shall designate a Committee Secretary and/or duly appointed designee of the B101 Standards Committee with the following responsibilities:

- a. Organize the Committee and establish subcommittees as warranted.
- b. Oversee compliance with these procedures, including legal review as necessary.
- c. Apply for accreditation by ANSI and maintain accreditation in accordance with ANSI requirements.
- d. Maintain rosters of the Committee and subcommittees.
- e. Submit standards approved by the Committee with supporting documentation for ANSI review and approval as American National Standards.

- f. Ensure adherence to periodic maintenance of standards.
- g. Maintain all records pertaining to the Committee and subcommittees.
- h. Provide administrative support and secretarial services as necessary, for the Committee and subcommittees.
- i. Publish approved standards and revisions and reaffirmations thereto.
- j. Perform other functions as required.

## **2.4 Records**

All material associated with the development of a standard (including reaffirmations, withdrawals and revisions of American National Standards) shall be retained for one complete standards cycle or until the standard is revised. Records regarding the withdrawal of all standards shall be retained for at least five years from the date of withdrawal.

## **2.5 Membership**

Participation in the Committee is open to all materially affected interests. To achieve effective operational efficiencies the size of the Committee shall be determined by the NFSI's Board of Directors. Applications for Committee membership shall be submitted to the Secretary for review and recommendation for action by the NFSI Board.

The membership of Committees shall be sufficiently diverse to ensure reasonable balance without dominance by any single interest group. Unless it is claimed by a directly and materially affected party, that a single interest category dominated the standards development process, no test for dominance is required. Every effort will be made to assure that any single interest category does not constitute more than one-third of the Committee membership.

## **2.6 Interest Categories**

For purposes of developing an American National Standard, all members of the Committee(s) shall be classified as Producers, Users, Trade Associations or General Interest representatives in accordance with the definitions below. An individual in professional practice or a consultant, retained under an agreement indefinitely continuing with an organization, shall be classified in accordance with the classification of the organization retaining the individual and shall be so identified.

### **2.6.1 Producers**

An entity that produces or supplies any product that can be related to slip, trip and fall prevention. This includes, but is not limited to manufacturers of: flooring material, cleaners and surface finishes; floor auditing, testing, buffing and burnishing devices etc.

### **2.6.2 Users**

An entity that maintains or installs any pedestrian walking surface or consumes products which impacts the probability of slips, trips and falls. Users also include the owners and occupiers of said premises and those providing consultative services in the evaluation of slips, trips and falls. Example walking surfaces include: walkways, floors, pools, spas, tubs, showers, boats, construction sites etc.

### **2.6.3 Trade Associations**

A membership-supported organization that represents the interests of those operating in a specific industry. A Trade Association may also be that of an industry trade group, sector association or other organization who offers professional assistance such as: market research, education, lobbying, etc. to their members.

### **2.6.4 General Interest**

General Interest members are neither Producers, Users nor Trade Associations. This category includes, but is not limited to, regulatory agencies (state and federal), researchers, , educators and any individual or organization that is effected by or interested in the need for slip, trip and fall prevention.

### **2.7 Membership Roster**

The Committee Secretary shall prepare and maintain a membership roster documenting the classification of each Committee member.

### **2.8 Termination of Membership**

The Secretary shall be authorized to terminate the membership of an individual of the Committee for cause, including inactivity or failure to pay appropriate dues/fees as levied by NFSI and/or the Committee (unless a waiver by NFSI and/or the Committee is approved) or purposeful disruptive behavior. A Committee member may be considered inactive for failure to return at least 75 percent of the letter ballots issued during a calendar year or failure to attend or otherwise participate in at least one Committee Meeting a calendar year.

## **3. MEETINGS**

### **3.1 Frequency**

Meetings to develop draft American National Standards shall be on an as-needed basis.

### **3.2 Notification**

Where possible, all face-to-face meetings shall be announced via email and the NFSI Web Site ([www.nfsi.org](http://www.nfsi.org)) no less than six (6) weeks prior to the meeting date. All other meetings, including virtual meetings and conference calls, should be announced via e-mail and posted to the NFSI Web Site no less than thirty (30) days prior to the meeting date. Special exceptions for extraordinary circumstances may be made on an as-needed basis. When an exception for extraordinary circumstances is necessary, the Committee Leadership will announce the meeting as soon as feasible, if feasible and/or practicable, a draft agenda shall be prepared and distributed with the meeting notice.

### **3.3 Open Meetings**

Meetings of the Committee shall be open to any interested party. Such interested parties shall be designated as Observers.

Observers are defined as affected parties who do not have the rights and privileges of Committee members nor the prerogatives of participating in discussions, making motions or executing votes but can attend Committee meetings, and offer comments based upon their prior submitted proposals to the Committee. Observers do not have any standing on

the Committee, are not listed on the roster or have access to the materials of the Committee, unless approved by the Secretary.

### **3.4 Quorum**

A majority of the members of the Committee shall constitute a quorum for conducting business at a meeting. Matters shall be deemed approved by the affirmative vote of a majority of the members present; however, actions on agenda items may be taken but shall be subject to ratification by the Committee.

### **3.5 Parliamentary Procedures**

For any procedural issues not covered under these procedures, the latest Robert's Rules of Order (Revised) shall apply on questions of parliamentary procedure.

### **3.6 Committee Chairman**

The Committee Chairman shall be appointed by the Secretary and serve for a term of two (2) years. In the event that the Chairman cannot fulfill his or her responsibilities, the Secretary shall appoint a replacement who shall fulfill the remaining term of the Chairman.

### **3.7 Subcommittees**

Subcommittees and subcommittee chairs shall be established/appointed by the Secretary, as he or she deems necessary for the purpose of drafting all or parts of a standard, responding to ballot objections or other tasks, as determined by the Secretary, for consideration by the Committee. Subcommittee drafts and recommendations are advisory to the Committee. Requirements of this section do not apply to subcommittees as they are advisory to the Committee.

### **3.8 Recording Devices**

Members, Observers and Visitors are not permitted to use recording devices during meetings including laptops, tape recorders and/or video recorders other than the Secretary and Staff without prior approval of the Secretary or Chair.

## **4. NOTIFICATION OF STANDARDS DEVELOPMENT**

Notification of standards activity shall be announced in suitable media as appropriate to demonstrate provision of opportunity for participation by all directly and materially affected persons. At the initiation of a project to develop or revise a standard, notification shall be transmitted to ANSI using the Project Initiation Notification System (PINS) form, or its equivalent, for listing in the ANSI Standards Action. A PINS form may be submitted, but is not required, at the initiation of a project to reaffirm or withdraw a standard. Comments resulting from the announcement of the PINS shall be addressed in accordance with clause 2.5 of the *ANSI Essential Requirements*.

## **5. SUBSTANTIVE CHANGE**

A substantive change in a standard is one that directly and materially affects the use of the standard. Examples of substantive changes are below:

- a. "shall" to "should" or "should" to "shall";
- b. the addition, deletion or revision of requirements, regardless of the number of changes;

or

- c. the addition of mandatory compliance with referenced standards.

## **6. VOTING PROCEDURES**

### **6.1 Letter Ballots and Committee Meeting Votes**

Documentation associated with American National Standards will undergo the letter ballot process or by equivalent means of documentation at a Committee meeting. Substantive changes to and interpretations of all standards shall be approved by letter ballot of the Committee or by equivalent means of documentation at a Committee meeting. All new proposed American National Standards, substantive changes to, reaffirmations and interpretations of all standards shall be approved by letter ballot of the Committee or by equivalent means of documentation at a Committee meeting. Every member of the consensus body shall be given the opportunity to vote if they (or their designated alternate) are unable to attend a meeting. Response to letter ballots may be via mail, fax or e-mail.

### **6.2 Voting**

Each member shall vote in accordance with one of the following positions on letter ballots:

- a. Affirmative.
- b. Affirmative with comment.
- c. Negative, with reasons. If possible, the negative ballot shall include specific actions that will resolve the negative.
- d. Abstain.

### **6.3 Voting Rights**

A member's representative shall ordinarily cast that member's vote. The member's alternate representative shall cast that member's vote only if the member's representative fails to vote.

### **6.4 Proxies**

Proxies are not permitted.

### **6.5 Voting Period**

The closure date for letter ballots shall be at least 30 days from the date of the issuance of the ballots. The Secretary shall be authorized to grant an extension of the voting period if deemed necessary. The voting period may be limited to ten (10) days in cases where it is clearly evident that the issue or issues can be expeditiously resolved in such a limited time frame and only if no objection to the shortened period is received in writing from a voting committee member.

### **6.6 Approved Actions**

Approvals of, substantive changes to, reaffirmations and interpretations of all standards shall be considered approved when all of the following conditions have been met:

1. At least 50 percent of the members have returned their letter ballot.
2. A majority (greater than 50%) of the votes cast, excluding abstentions and negatives without reasons, are affirmative.
3. All negative votes with reasons have been addressed in accordance with Section 6.9.

## **6.7 Reporting Votes**

The results of each vote on all standards shall be reported as follows:

- a. Number of members.
- b. Number of members voting affirmatively.
- c. Number of members voting negatively with reasons.
- d. Number of members voting negatively without reasons.
- e. Number of members abstaining.
- f. Number of members not returning ballots.

## **6.8 Negative Votes**

A negative ballot shall be required to be accompanied by a reason, and, if possible, should include specific wording or actions that would resolve the objection. If a negative ballot is accompanied only by reasons supporting the negative that are related to the proposal, it will be considered, recirculated if it remains unresolved, and reported as a negative.

## **6.9 Consideration of Views and Objections**

Committee(s) shall use the following procedures in attempting to resolve negative votes unless as addressed in Section 6.1:

- a. All negative ballots and comments will be forwarded to the subcommittee that drafted the proposed standard for response and resolution. Together with the subcommittee, Committee Officers will draft the response on behalf of the Committee. Negative ballots may be judged as valid, invalid or not germane. All comments will be given a comprehensive response.
- b. The responses to negative ballots will be circulated to the Committee as a new ballot, to give the commenter the opportunity to change the vote based on the reply. In the case of public review comments, which are not votes, these comments, with the accompanying responses, will be circulated for new balloting as well. In cases where negative comments remain unresolved or substantial revisions are made to the standards, all members of the Committee will be given the opportunity to re-cast their votes based upon the resulting revised version in an attempt to resolve remaining negatives.
- c. All substantive changes shall be submitted to ANSI via the BSR-8 document for further public review.
- d. Voting members or public review participants who have unresolved negative votes (comments) shall be notified in writing of their right to appeal and of the appeals process.

## **7. INTERPRETATIONS**

### **7.1 Processing Interpretations**

Requests for interpretations of standards shall be submitted in writing to the Secretary and shall be forwarded by the Secretary to Committee Officers. Proposed interpretations may be prepared by the affected subcommittee and/or any Committee member with particular expertise on the subject in question. All proposed interpretations shall be prepared in writing and shall be submitted to the Secretary for approval by the Committee. Interpretations shall be approved in accordance with Section 6.

## **7.2 Notification of Interpretations**

Notification of approved interpretations shall be sent in writing to the requester. Notification shall also be given to other users of the standards via the appropriate NFSI Committee email list(s) and posted on the NFSI web site.

## **8. METRIC POLICY**

In accordance with Section 3.4 of the ANSI Essential Requirements, NFSI accepts ANSI's Metric Policy which states that, "Units of the International System of Units (SI), the modernized metric system, are the preferred units of measurement in American National Standards."

## **9. PUBLIC REVIEW AND COMMENT**

Proposals for new standards or reaffirmation, revision, or withdrawal of existing standards shall be transmitted to ANSI for listing in the ANSI Standards Action for comment. The Secretary shall determine whether listing of proposed standards actions shall be concurrent with the final Committee letter ballot and whether announcement in other suitable media is appropriate. All comments that are received shall be considered by the Committee and the commenter shall be notified, in writing, of the Committee's decision/response in accordance with Section 6.9 above, to comply with the ANSI Essential Requirements.

## **10. PATENT POLICY**

NFSI has adopted the ANSI Patent Policy, as outlined in Section 3.1 of the ANSI Essential Requirements. NFSI does not hold and does not anticipate holding any invention, which the use of would be required for compliance with any NFSI proposed standard.

## **11. CORRESPONDENCE**

### **11.1 Committee Correspondence**

Correspondence from a Committee member to the entire membership of the Committee shall be forwarded to the Secretary for distribution. All official Committee correspondence, including meeting notices, agendas, reports and letter ballots, shall be distributed by the Secretary. Copies of all other correspondence between Committee members, relating to NFSI Standards activities, shall be forwarded to the Secretary.

### **11.2 External Correspondence**

All official Committee correspondence to external parties must be approved by the Committee or its delegated representative and distributed by the Secretary. Inquiries relating to the Committee and standards shall be directed to the Secretary. Committee members should advise individuals who contact them that responses to all inquiries are handled by the Secretary.

## **12. APPEALS**

Persons who have directly and materially affected interests and who have been or may be adversely affected by a procedural action or inaction of the consensus body or the Secretary shall have the right to appeal. The ANSI Executive Standards Council (ExSC) has taken the position that developers can charge a reasonable fee to help defray expenses. Fees should not be considered an unreasonable barrier to participation. As a standards developer NFSI

would not use fees to recoup all of its expenses related to the cost of addressing an appeal as the NFSI agrees that such activities are a cost of doing business. Those requesting an appeal will be required to include a non-refundable fee in the amount of \$500 at the time of filing the actual appeals document.

This fee may be waived or reduced upon sufficient evidence of hardship. Processing of such a request should take place within thirty (30) calendar days of receipt. A request could delay the official response to the formal complaint by a period of time, not to exceed thirty days after the date the NFSI Board of Directors (BOD) completes the review of the waiver/reduction.

The process for reviewing a waiver or reduction for the appeals fee is as follows:

1. The request for a waiver or reduction is submitted in writing to the attention of the Secretary.
2. The request provides the reasons, in detail, why a waiver or reduction is appropriate.
3. Supporting materials should be submitted with the request. Additional material may be requested by the BOD.
4. The request for a waiver or reduction is reviewed by the BOD.
5. The BOD will reach consensus and staff will notify the submitter of the decision.

### **12.1. Complaint**

The appellant shall file a written complaint with the Secretary within thirty days after the date of notification of action or at any time with respect to inaction. The complaint shall state the nature of the objection(s) including any adverse effects, the clause(s) of these procedures or the standard that is at issue, actions or inactions that are at issue, and the specific remedial action(s) that would satisfy the appellant's concerns. Previous efforts to resolve the objection(s) and the outcome of each shall be noted.

### **12.2. Response**

Within thirty days after receipt of the complaint, the respondent (Chair or Secretary representative) shall respond in writing to the appellant, specifically addressing each allegation of fact in the complaint to the extent of the respondent's knowledge.

### **12.3. Hearing**

If the appellant and the respondent are unable to resolve the written complaint informally in a manner consistent with these procedures, the Secretary shall schedule a hearing with an appeals panel on a date agreeable to all participants, giving at least ten working days notice.

### **12.4. Appeals panel**

The Secretary shall arrange for an appeals panel consisting of three individuals who have not been directly involved in the matter in dispute, and who will not be materially or directly affected by any decision made or to be made in the dispute.

### **12.5. Conduct of the hearing**

The appellant has the burden of demonstrating adverse effects, improper actions or inactions, and the efficacy of the requested remedial action. The respondent has the burden

of demonstrating that the consensus body and the Secretary took all actions in compliance with these procedures and that the requested remedial action would be ineffective or detrimental. Each party may adduce other pertinent arguments, and members of the appeals panel may address questions to individuals. Robert's Rules of Order (latest edition) shall apply to questions of parliamentary procedure for the hearing not covered herein.

#### **12.6. Decision**

The appeals panel shall render its decision in writing within thirty days, stating findings of fact and conclusions, with reasons therefore, based on a preponderance of the evidence presented to the appeals panel. Consideration shall be given to the following positions, among others, in formulating the decision:

- a. Finding for the appellant, remanding the action to the consensus body or the Secretary with a specific statement of the issues and facts in regard to which fair and equitable action was not taken;
- b. Finding for the respondent, with a specific statement of the facts that demonstrate fair and equitable treatment of the appellant and the appellant's objections;
- c. Finding that new, substantive evidence has been introduced, and remanding the entire action to the consensus body or the Secretary for appropriate reconsideration.

#### **12.7. Further Appeal**

If the appellant gives notice that further appeal to ANSI is intended, a full record of the complaint, response, hearing, and decision shall be submitted by the Secretary to ANSI.

### **13. REVISIONS TO PROCEDURES**

These Operating Procedures are maintained by NFSI. Proposed revisions to these Operating Procedures must be submitted in writing to the NFSI Secretary along with a supporting rationale for the proposed change. The NFSI General Counsel will present the proposed revisions to the NFSI Board for review and consideration. The revised procedures are then submitted to ANSI for public comment, and ANSI review and approval. Any approved revisions to these Operating Procedures shall be effective upon publication.

The Secretary shall be responsible for the interpretation of these Operating Principles and Procedure.

### **14. COMPLIANCE TO ANSI COMMERCIAL TERMS AND CONDITION POLICY**

NFSI intends to comply with ANSI's Commercial Terms and Conditions policy (see 3.2 of the ANSI Essential Requirements).

End of Procedures