Procedures for Accredited Standards Committee – ASC A108

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Procedures for Accredited Standards Committee A108

1.0 General

These procedures meet the requirements for due process and development of consensus for approval of American National Standards as given in *ANSI Essential Requirements: Due Process Requirements for American National Standards.*

2.0 Organization of the committee

Accredited Standards Committee (ASC) A108 consists of its consensus body and secretariat. The Tile Council of North America currently serves as the secretariat and has since its accreditation as an Accredited Standards Committee on 22 June 1984. ASC A108 has a title, scope, and an interest classification system for its members. The membership is sufficiently diverse to ensure reasonable balance without dominance by a single interest category, individual, or organization in accordance with the *ANSI Essential Requirements*.

2.1 Membership – ASC A108 shall consist of its consensus body and its secretariat.

2.2 Title –Accredited Standards Committee on Ceramic, Glass, Stone, and Other Hard Surfaces used in Flooring, Wall Coverings, and Countertops, and Related Installation Materials – A108

2.3 Scope – The scope of ASC A108 is to develop standards which define the installation of ceramic, glass, stone, and other hard surface tiles and panels as well as the test methods and physical properties for ceramic, glass, stone, and other hard surface flooring, wall covering, and countertop materials, and related installation materials. These are voluntary standards which are intended to serve as a guide to the general public, manufacturers, distributors, contractors, and others.

2.4 Interest Category – the interest categories for ASC A108 shall be as follows:

Ceramic, Glass, Stone, or other Hard Surface Flooring, Wall Covering, or Countertop Producers

- Those companies that are producers of ceramic, glass, stone or other hard surface flooring, wall covering, or countertop products where at least 60 % of their revenue is derived from the production of any of such materials , or
- An association or task group whose membership is made up of at least 80% ceramic, glass, stone or other hard surface flooring, wall covering, or countertop producers.

Installation Materials Manufacturers

- Those companies that manufacture installation materials and other associated products where at least 60 % of their revenue is derived from the manufacture of installation materials or associated products, or
- An association or task group whose membership is made up of at least 80% installation material manufacturers.

Labor

- Installers, contractors, builders, and others involved in the installation of ceramic, glass, stone or other hard surface flooring, wall covering, or countertops, or
- Associations or groups whose membership is composed of at least 60% labor.

Users

- Distributors, importers, purchasing agents, or specifiers of ceramic tile, glass, stone or other hard surface flooring, wall covering, or countertops or
- Owners of property where ceramic tile, glass, stone or other hard surface flooring, wall covering, or countertops are being installed, or
- Associations where at least 60% of the members are distributors, importers, purchasing agents, specifiers, property owners, etc., involved in the purchasing of ceramic tile, glass, stone or other hard surface flooring, wall covering, or countertops.

General Interest

- Associations, individuals, or organizations not directly involved in the manufacture, installation, or use of ceramic tile, glass, stone or other hard surface flooring, wall covering, or countertops, or related materials but with an interest in the general standards.

2.5 Balance – No single interest category shall constitute a majority of the A108 Committee. The A108 Committee shall maintain reasonable balance in accordance with *ANSI Essential Requirements*. In the event that subcommittees are formed to review, revise, or reaffirm the American National Standards within the scope of ASC A108, balance shall not be a requirement (although preferred) due to the technical nature of the subcommittees. The ASC A108 shall have the final vote on all standards as revised, reaffirmed, or developed as new draft standards.

2.6 Lack of Dominance – The A108 Committee shall not be dominated by any single interest category, individual or organization.

3.0 Responsibilities

3.1 Consensus Body - ASC A108 is made up of the consensus body and its secretariat (The Tile Council of North America). Voting is the responsibility of the consensus body. The secretariat, which is also a member of the consensus body, has one vote.

3.2 The consensus body shall be responsible for:

3.2.1 Proposing American National Standards within the scope of A108.

3.2.2 Voting on approval of proposed American National Standards within the scope of ASC A108. In addition, the consensus body is also responsible for;

3.2.2.1 Maintaining the standards developed by ASC A108 in accordance with *ANSI Essential Requirements*.

3.2.2.2 Adopting ASC A108 policy and procedures for interpretations of the standard(s) developed by the Committee as outlined in "Requests for Interpretations of Standards" below;

3.2.2.3 Responding to requests for interpretations of the standard(s) developed by ASC A108 as outlined in "Requests for

Interpretation of Standards" below;

3.2.2.4 Adopting ASC A108 procedures and revisions thereof;

3.2.2.5 Addressing other matters requiring consensus body action as provided in these procedures.

3.2.3 The consensus body shall vote in accordance with the policies and procedures outlined herein and in *ANSI Essential Requirements.*

3.3 Secretariat - The secretariat shall be responsible for:

3.3.1 Applying for ASC accreditation by ANSI and maintaining accreditation in accordance with ANSI requirements, including submission of the consensus body roster;

3.3.2 Overseeing the consensus body's compliance with these procedures;

3.3.3 Maintaining a roster of the consensus body and a list of standards for which the consensus body is responsible;

3.3.4 Providing a Committee manager to perform administrative work, including preparation of meeting notices and the handling of meeting arrangements; preparation and distribution of meeting agendas, minutes, ballots, and draft standards; and maintenance of adequate records;

3.3.5 Submitting candidate standards approved by the consensus body, with supporting documentation, for ANSI review and approval as American National Standards;

3.3.6 Performing other administrative functions as required by these procedures;

3.3.7 The administrative secretariat shall provide a written agreement to ANSI defining explicit division of these responsibilities if composed of more than one organization (i.e., co-secretariats).

4.0 Officers

There shall be a chair and a vice-chair appointed by the secretariat from the individual members or representatives of the consensus body, subject to approval by majority vote of the consensus body. Each will serve until a successor is selected and ready to serve. The vice-chair shall carry out the chair's duties if the chair is temporarily unable to do so. The Committee manager shall be appointed by the secretariat.

5.0 Membership

Members of the consensus body shall consist of organizations, companies, government agencies, individuals, etc., having a direct and material interest in the activities of the ASC. The selection and addition of a member, and its representative (and alternate if applicable) along with its interest category, shall be subject to approval by a majority vote of the consensus body after the application has been processed in accordance with the procedures described in 5.1 below. The termination of members shall be subject to approval by a majority vote of the consensus body after a review of the membership in accordance with 5.2 below. Membership shall be limited to a maximum of 70 voting members.

Membership applications shall be considered by the consensus body in one ballot once per year. If the Committee were to become imbalanced due to resignations or terminations of membership, or if a change in voting member or alternate is requested, additional balloting for membership can take place within a single year.

5.1 Application - A request for membership on the consensus body shall be addressed to the secretariat and shall indicate the applicant's direct and material interest in the ASC's work and their qualifications and willingness to participate actively. The applicant shall also identify their interest category and shall state whether or not the existing committee is or is not adequately representing the applicant's interests. If it is perceived that the current ASC A108 is inadequately representing the applicant's interest, the applicant shall identify the basis for the perception in order that this issue may be addressed by the Committee. In addition, if the applicant is an organization, company, or government agency, it shall identify a representative (and an alternate, if desired).

5.1.1 **Recommendation -** In recommending appropriate action to the consensus body on applications for membership, the secretariat shall consider the:

5.1.1.1 Need for active participation by each interest;

5.1.1.2 Potential for dominance or imbalance by a single interest category, individual or organization;

5.1.1.3 Extent of interest expressed by the applicant and the applicant's willingness to participate actively;

5.1.1.4 Representative identified by the applicant organization, company, or government agency.

5.1.1.5 Management of reasonable size limits for the Committee.

5.1.2 **Diverse interests -** If distinct divisions of an organization demonstrate independent interests and authority to make independent decisions in the area of the activity of the ASC, each is permitted to apply for membership.

5.1.3 **Combined interest -** When appropriate, the secretariat may recommend that the applicant seek representation through an organization that is already a member and represents the same or similar interest.

5.2 Review of membership - The secretariat shall review the consensus body membership list annually with respect to the criteria of Section 5 above. Members are expected to fulfill obligations of active participation. At the discretion of the Secretariat, where a member is found in habitual default of these obligations, the secretariat shall direct the matter to the consensus body for appropriate action, which may include termination of membership.

5.2.1 Members' representatives (or approved alternates) of ASC A108 are expected to respond to all letter ballots in a timely manner and should attend at least one ASC A108 meeting per year. Failure to meet these requirements is due cause for dismissal from the committee.

5.2.2 At the discretion of the Secretariat, where a member is found in habitual default of these obligations, the Secretariat shall then direct the matter to the consensus body for appropriate action, which may include termination of

membership. The termination of members shall be subject to approval by majority vote of the consensus body after a review of the membership in accordance with the procedures contained herein.

5.3 Observers and individual experts - Individuals and organizations having an interest in the ASC's work may request listing as observers. The consensus body may also select individual experts to assist it. Observers and individual experts shall be advised of the ASC's activities, may attend meetings, and may submit comments for consideration, but shall have no vote.

5.4 Interest Category - All appropriate interests that are directly and materially affected by the standards activity of the ASC shall have the opportunity for fair and equitable participation without dominance by any single interest, individual or organization. Dominance means a position or exercise of dominant authority, leadership, or influence by reason of superior leverage, strength, or representation to the exclusion of fair and equitable consideration of other viewpoints.

5.4.1 Classification - Each member shall propose its own interest category as appropriate and in accordance with the consensus body's established categories (see 2.4.).

5.4.2 The interest categories shall be established or revised by a vote of the consensus body upon recommendation by the secretariat.

5.4.3 The rationale for the selection of categories shall be included in the consensus body ballot and submitted to ANSI as part of the accreditation requirements.

6.0 Membership roster

The secretariat shall maintain a current and accurate consensus body roster and shall distribute it to the members and their consensus body representatives at least annually and otherwise on request. The roster shall include the following:

6.1 Title of the ASC and its designation;

6.2 Scope of the ASC;

6.3 Secretariat: name of organization, name of Committee manager, and address(es);

6.4 Officers: chair and vice-chair

6.5 Members: name of organization or agency, its representative and alternate (as applicable), and business affiliations; or name and business affiliation of individual member(s);

6.6 Interest category of each member;

6.7 Tally of interest categories: total of voting members and subtotals for each interest category;

7.0 Subgroups created by the consensus body

7.1 Subgroups - When one or more subgroups (subcommittees, working groups, technical subcommittees, writing groups, etc.) are formed to expedite the work of

the consensus body, their formation requires approval by more than five consensus body members, the Chair, or Secretariat. The scope and duties delegated to the subgroup shall be determined at the time it is formed, and subsequent changes in scope or duties shall also require approval by the Chair or Secretariat. The subgroup is responsible for assisting the consensus body (i.e., drafting all or a portion of a standard, drafting responses to comments, drafting positions on international standards, or other purely advisory functions). The subgroup shall be disbanded at such time as the subgroup decides (by simple majority of the subgroup) that the work is completed or at the next in-person meeting of the Committee occurring five (5) years after the subgroup is formed, whichever is earlier. At the end of the five (5) year period, the subgroup can be reformed per the procedures stated previously.

7.2 Approval of standards - Draft standards and any substantive change (refer to Annex A – Definitions in *ANSI Essential Requirements*) in the content of a standard, proposed by a subgroup, shall be referred to the consensus body for approval.

8.0 Meetings

Consensus body meetings shall be held, as decided upon by the consensus body, the Chair, the secretariat, or by petition of five or more members, to conduct business, such as making assignments, receiving reports of work, considering draft standards, resolving differences among subgroups, and considering views and objections from any source. Meetings of subgroups may be held as decided upon by the members or Chair of the subgroup.

8.1 Open meetings - Meetings of the consensus body and all subordinate bodies shall be open to all members and others having a direct and material interest. At least four weeks' notice of regularly scheduled meetings of the consensus body shall be given by the secretariat in ANSI's *Standards Action*; or in other media designed to reach directly and materially affected interests; or in both. The notice shall describe the purpose of the meeting and shall identify a readily available source for further information. An agenda shall be available and shall be distributed in advance of the meeting to members and to others expressing interest. The secretariat may maintain a mailing list of other interests.

8.2 Quorum - A majority of the members, including proxies, of the consensus body shall constitute a quorum for conducting business at a meeting. If a quorum is not present, actions shall only be taken subject to subsequent confirmation by letter ballot or vote at a future meeting.

8.3 Protocol - Meetings shall be conducted in accordance with *Robert's Rules of Order* and the procedures outlined herein where applicable.

9.0 Voting

9.1 Vote

9.1.1 Except in regard to votes on membership and officer-related issues, each

member shall vote one of the following positions:

9.1.1.1 Affirmative;

9.1.1.2 Affirmative, with comment;

9.1.1.3 Negative, with reasons (the reasons for a negative vote shall be given and if possible should include specific wording or actions that would resolve the objection);

9.1.1.4 Abstain.

9.1.2 For votes on membership and officer-related issues, the affirmative/negative/abstain method of voting shall be followed.

9.2 Vote of alternate - An alternate's vote is counted only if the principal representative fails to vote.

9.3 Proxy - Any representative may authorize a standing voting member of the committee to cast his vote by delegating his authority to vote by a proxy in writing. Such proxy will only be valid for one meeting.

The member authorized by the proxy shall have the right to cast his own vote and that of each proxy he holds. A member represented by proxy shall be counted when determining quorum and the vote cast shall be treated as if that member were physically present and casting the vote himself.

Nothing in this section shall be construed to lessen the requirements of Section 5.2 where members representatives (or approved alternates) of ASC 108 should attend at least one ASC 108 meeting per year. This requirement can not be fulfilled by authorizing another member by proxy.

9.4 Voting period

9.4.1 The voting period for letter ballots shall end four weeks from the date of issue or as soon as all ballots are returned, whichever comes earlier. An extension may be granted at the Chair or Secretariat's option, when warranted.

9.4.2 A follow-up letter requesting immediate return of the ballot shall be sent, as appropriate, to members and alternate members whose votes have not been received within ten calendar days before the ballot closes.

9.4.3 a) The secretariat shall record and consider all negative votes accompanied by any comments that are related to the proposal under consideration. This includes negative votes accompanied by comments concerning potential conflict or duplication of the draft standard with an existing American National Standard and negative votes accompanied by comments of a procedural or philosophical nature. These types of comments shall not be dismissed due to the fact that they do not necessarily provide alternative language or a specific remedy to the negative vote.

b) The secretariat is not required to consider negative votes accompanied by comments not related to the proposal under consideration, or negative votes without comments. The secretariat shall indicate conspicuously on the letter ballot that negative votes must be accompanied by comments related to the

proposal and that votes unaccompanied by such comments will be recorded as "negative without comments" without further notice to the voter. If comments not related to the proposal are submitted with a negative vote, the comments shall be documented and considered in the same manner as submittal of a new proposal. If clear instruction is provided on the ballot, and a negative vote unaccompanied by comments related to the proposal is received notwithstanding, the vote may be counted as a "negative without comment" for the purposes of establishing a quorum and reporting to ANSI. However, such votes (i.e., negative vote without comment or negative vote accompanied by comments not related to the proposal) shall not be factored into the numerical requirements for consensus. The secretariat is not required to solicit any comments from the negative voter. The secretariat is not required to conduct a recirculation ballot of the negative vote.

c) The secretariat shall not change a vote unless instructed to do so by the voter. If the change of vote was not submitted in writing by the voter, then written confirmation of such a vote change shall be provided to the voter by the developer.

d) The secretariat shall maintain records of evidence regarding any change of an original vote.

9.5 Actions requiring approval by a majority – Committee related actions - The following actions require approval by a majority of the membership (excluding abstentions) of the consensus body either at a meeting or by letter ballot:

9.5.1 Confirmation of officers appointed by the secretariat;

9.5.2 Addition of new consensus body members and designation of their interest categories.

9.6 Actions requiring approval by two-thirds of those voting – American National Standards Related Actions - All members of the committee will be given the opportunity to vote on American National Standard related actions, even if they cannot attend a meeting, (e.g. via follow-up confirmation ballot or the equivalent). The following actions require a letter ballot or an equivalent formal recorded vote with approval by at least a majority of the membership (excluding abstentions) and at least two-thirds of those voting, excluding abstentions:

9.6.1 Adoption of ASC procedures, interest categories, or revisions thereof;

9.6.2 Approval of a new standard, reaffirmation of an existing one, or withdrawal of an existing standard;

9.6.3 Approval of revision or addendum to part or all of a standard;

9.6.4 Approval for submission to ANSI of change of ASC scope.

9.6.5 Interpretations of any standard

9.6.6 Discontinuance of a standards development project (see 4.2.1.3.3 *ANSI Essential Requirements*).

9.7 Authorization of letter ballots - A letter ballot shall be authorized by any of the

following:

9.7.1 Majority vote of those present at a consensus body meeting;

9.7.2 The Chair;

9.7.3 The executive committee (if one exists);

9.7.4 The Secretariat;

9.7.5 Petition of five or more members of the consensus body.

9.8 Other review

9.8.1 At the initiation of a project to develop or revise an American National Standard, notification shall be transmitted to ANSI using the Project Initiation Notification System (PINS) form in accordance with *ANSI Essential Requirements*, or its equivalent, for listing in *Standard Action*. Comments received in connection with a PINS announcement shall be handled in accordance with the appropriate sections of 9.10 (PINS Announcements Comments) below. A PINS is not required for revisions of an American National Standard that is maintained under continuous maintenance.

9.8.2 Proposals for new American National Standards or reaffirmation, revision, or withdrawal of existing American National Standards shall be transmitted to ANSI for listing in *Standards Action* for public comment[1]. The comment period shall be one of the following:

9.8.2.1 A minimum of thirty (30) days if the full text of the revision(s) can be published in *Standards Action*.

9.8.2.2 A minimum of forty-five (45) days if the full text of the document is available in an electronic format, deliverable within one day of a request, and the source, URL or an E-mail address from which it can be obtained by the public is provided to ANSI for announcement in *Standards Action*.

9.8.2.3 A minimum of sixty (60) days, if neither of the aforementioned options is available.

The secretariat shall determine whether listing of proposed standards actions shall be concurrent with the final consensus body letter ballot. Timely and adequate notice of standards development activity shall be announced in media suitable to demonstrate that a meaningful opportunity for participation, debate and deliberation by all directly and materially interested parties in a fair and equitable manner was provided.

Views and objections resulting from the above shall be dealt with in accordance

[1] Although a 60-day public comment period is not required in all instances, a number of provisions in the *ANSI Essential Requirements*, when read in combination, satisfy the WTO's 60-day rule. Before adopting a standard, ANSI-Accredited Standards Developers shall allow a period of at least 60 days in total for submission of comments on the draft standard if requested by an interested party within the territory of a Member of the WTO. Exceptions outlined in the rule are permitted due to issues of safety, health or environment. (See *WTO Agreement on Technical Barriers to Trade (TBT), Annex 3 Code of Good Practice for the Preparation, Adoption and Application of Standards (CGP) Substantive Provision L.*)

with the procedures outlined below. Any substantive change made in the proposed American National Standard shall also be listed in accordance with the procedures outlined below.

9.9 Disposition of views and objections - Prompt consideration shall be given to the written views and objections of all participants, including those commenting on either the PINS announcement or public comment listing in *Standards Action*.

9.10 PINS announcement comments - If a developer receives written comments within 30 days from the publication date of a PINS announcement in *Standards Action,* and said comments assert that a proposed standard duplicates or conflicts with an existing American National Standard (ANS) or a candidate ANS that has been announced previously (or concurrently) in *Standards Action,* a mandatory deliberation of representatives from the relevant stakeholder groups shall be held within 90 days from the comment deadline. Such a deliberation shall be organized by the ASC A108 Secretariat and the commenter and shall be concluded before the ASC A108 Committee may submit a draft standard for public review. If the deliberation does not take place within the 90-day period and the ASC A108 Secretariat can demonstrate that it has made a good faith effort to schedule and otherwise organize it, then the ASC A108 Committee will be excused from compliance with this requirement. The purpose of the deliberation is to provide the relevant stakeholders with an opportunity to discuss whether there is a compelling need for the proposed standards project. The outcome of such a deliberation shall be conveyed in writing within 30 days by the ASC A108 Secretariat to the commenter and to ANSI. Upon submission of the Deliberation Report, the ASC A108 may continue with the submission of the draft standard for public review. If additional deliberation takes place, they should not delay the submission of the draft for public review, and an updated Deliberation Report shall be conveyed within 30 days after each deliberation. Any actions agreed upon from the deliberations shall be carried out in a reasonably timely manner, but normally should not exceed 90 days following the deliberation. Subsequently, the ASC A108 Secretariat shall include all of the Deliberation Report(s) with the BSR-9 submittal to the ANSI Board of Standards Review (BSR) for consideration should the developer ultimately submit the related candidate standard to ANSI for approval. While the outcome is not binding, participants are encouraged to develop a consensus on whether and how the standards development project should proceed. Stakeholders who were involved in the PINS deliberation process may also file separate Deliberation Report(s) with ANSI and the developer within 30 days after conclusion of any deliberation for consideration by the BSR, if the standard is submitted to ANSI for approval.

9.11 Public review and consensus body comments - In connection with an objection articulated during a public comment period, or submitted in connection with a vote, a good faith effort to resolve all expressed objections shall be made, and each objector shall be advised in writing (including electronic communications) of the disposition of the objection and the reasons therefore. If resolution is not achieved, the objector shall be informed in writing that an appeals process exists within procedures used by the standards developer. In addition each objection resulting from public review or submitted by a member of the consensus body, and which is not resolved (see definition[2]) must be reported to the BSR.

When this process is completed in accordance with the written procedures of the

[2] "Resolved" refers to a negative vote cast by a member of the consensus body or a comment submitted as a result of public review where the negative voter agrees to change his/her vote or the negative commenter accepts the proposed resolution of his/her comment.

standards developer, the standards developer may consider any comments received subsequent to the closing of the public review and comment period, or shall consider them at the next review.

9.11.1 Each substantive change, and each unresolved objection and attempt at resolution, shall be reported in writing to the consensus body as part of a recirculation ballot in order to afford all members of the consensus body an opportunity to respond, reaffirm, or change their earlier vote within four (4) weeks. Substantive changes also shall be subject to public review in *Standard Action*.

9.11.2 When the above processes are completed, comments received during a second public review period or recirculation comment period may be held for the next review.

9.12 Report of final result - The final result of the voting shall be reported, by interest category, to the consensus body.

10.0 Continuous Maintenance of American National Standards

10.1 Standards maintained using continuous maintenance – Standards maintained using continuous maintenance shall be registered as such on the ANSI website, have a notice in the standard that the standard is always open for comment and how to submit comments, and have information on the developer's website that the standard is under continuous maintenance and how to submit comments.

10.2 Review of submissions – Comments and proposed revisions can be submitted to the Committee Secretariat at any time. All submissions received will be reviewed at the next meeting of the Committee, either in-person, on a teleconference, or via web-meeting.

10.3 Periodic Publication – Changes to standards maintained using continuous maintenance will be published electronically after each submission is approved and final notification from ANSI has been received. Hard copy publication of the standard will take place at least once a year with any additional changes made after publications indicated on an addenda placed inside the front cover of the standard.

10.4 In the event that no revisions are approved for a period of ten years, and the ANS has not been reaffirmed, the ANS approval automatically expires on the tenth anniversary of its approval as an ANS.

11.0 Submittal of standard

Upon completion of the procedures for voting, disposition of views and objections, and appeals, the proposed standard shall be submitted to ANSI by the secretariat.

The information supplied to ANSI by the secretariat shall include all relevant material required by ANSI as outlined in 4.1.1 (Criteria for Accreditation) of the *ANSI Essential Requirements*. If the secretariat does not submit the proposal to ANSI within a reasonable period of time, any member(s) of the consensus body may make the submittal.

12.0 Termination of an ASC

A proposal to terminate an Accredited Standards Committee (ASC) may be made by a directly and materially affected interest. The proposal shall be submitted in writing to the ASC and shall include at least the following:

a) Reasons why the ASC should be terminated;

b) The name(s) of the organization(s) that will assume responsibility for maintenance of any existing American National Standard(s) that is/are the responsibility of the consensus body.

If it appears, after discussion among the proponent of the action and the secretariat, that the desired objectives can best be reached by termination, the proposal and supporting documentation shall be submitted to the committee with a letter ballot to terminate the committee and transfer responsibility, as appropriate, for the affected standards. The proposal for termination of the ASC shall be announced for comment in *Standards Action*.

13.0 Communications

13.1 Formal internal communication - If correspondence between subcommittees or between working groups of different subcommittees involves issues or decisions (i.e., non-routine matters) affecting other subcommittees, copies shall be sent to all affected subcommittee chairs, the secretariat, and the consensus body officers.

13.2 External communication - Inquiries relating to the ASC should be directed to the secretariat, and members should so inform individuals who raise such questions. All replies to inquiries shall be made through the secretariat.

13.3 Requests for interpretation of standards - Written inquiries requesting interpretation of the ASC A108's approved American National Standards shall be responded to by the ASC A108 Committee in writing in accordance with the following:

ASC A108 will, in appropriate cases, render written interpretations. However, no organizational member of ASC A108, or any individual member, or representative of a member, shall have the authority to issue an interpretation of an A108 Standard in the name of ASC A108, and no member, or representative of a member, shall represent to any person that he has the approval of ASC A108 to issue such an interpretation.

A statement, written or oral, that is not processed in accordance with these Procedures shall not be considered the official position of ASC A108 and shall not be considered to be, nor be relied upon as, formal interpretation.

Formal interpretation shall be requested in writing, and answered in writing. Requests for interpretations shall be addressed to the ASC A108 Secretariat, who shall evaluate the need for an interpretation. The request shall include a statement in which shall appear specific references to a single problem and identifying the portion (article, section, paragraph, etc.,) of the standard.

The written response to a request for an interpretation may be prepared by any Committee member or any other person with expertise in the subject in question. The response shall be prepared in writing and shall be submitted to the Secretariat for a letter ballot of the Committee. Interpretations shall be voted and approved in accordance with these procedures for all letter ballots.

The Secretariat shall keep the person requesting the interpretation advised in a timely fashion of the Committee's progress in preparing and voting on a response.

Approved interpretations will be posted on the Tile Council of North America

website and included with the standard to which it applies.

Revisions to the standard resulting from requests for interpretations shall be processed in accordance with these procedures.

14.0 Appeals

Parties who are directly and materially interested and who have been or will be adversely affected by a procedural action or inaction of the consensus body or the secretariat shall have the right to appeal. Technical issues are not appealable.

14.1 Complaint - The appellant shall file a written procedural related complaint with the secretariat within fourteen (14) calendar days after the date of notification of action or at any time with respect to inaction. The complaint shall fully state the nature of the procedural objection(s) including any adverse effects, the clause(s) of these procedures 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. A non-refundable processing fee of $500 must be submitted with the complaint. Requests for fee waivers or reductions shall be directed in writing to the Committee Manager. Such requests shall be accompanied by supporting reasons that indicate how the fee will cause burden or hardship to the appellant. The request will be reviewed by the Secretariat and ASC A108 Committee Chair and a decision will be sent in writing within thirty (30) calendar days.

14.2 Response - Within thirty (30) calendar days after receipt of the complaint, the respondent (chair or secretariat representative) shall respond in writing to the appellant, specifically addressing each procedural allegation in the complaint to the extent of the respondent's knowledge. Should the appellant continue to allege procedural violations and wish to pursue an appeal hearing, the appellant shall respond in writing within ten (10) calendar days of the date of the respondent's letter fully stating only those procedural violations alleged for the basis of the appeal, and submitting an additional $500 for scheduling the appeals panel (a request for fee waivers or reductions can be submitted per the procedure addressed in section 14.1). If the appellant fails to respond within ten (10) calendar days, then the right to appeal has been forfeited.

14.3 Hearing - If the appellant and the respondent are unable to resolve the written complaint informally in a manner consistent with these procedures, the secretariat shall schedule an in-person or telephonic hearing with an appeals panel giving at least fourteen (14) calendar days notice after the date of the appellant's letter requesting a hearing. The hearing shall take place within sixty (60) calendar days after the appellant's letter requesting a hearing.

14.4 Appeals panel - The appeals panel shall consist 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. The panelists will be appointed by the Secretariat. The appellant shall be given ten (10) calendar days to review the panelists for any potential conflict of interest. The appellant shall advise the Secretariat in writing if he/she feels there is potential conflict of interest by any of the panelists. Typically, a potential conflict of interest arises when a member of the panel participated in activities integral to the particular issue under review. A conflict of interest usually does not exist by virtue of the fact that a member of the panel works for the same company/organization as a member of

the ASC A108 Committee.

14.5 Conduct of the hearing - The appellant has the burden of demonstrating adverse effects of the alleged procedural violation, 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 secretariat took all actions in compliance with these procedures and that the requested remedial action would be ineffective or detrimental. Each party shall have a maximum sixty (60) minutes to make their oral statement/presentation with an unlimited time at the end for the members of the appeals panel to address questions to the appellant or respondent. Any portion of the 60 minute presentation time may be saved for rebuttals. *Robert's Rules of Order* (latest edition) shall apply to questions of parliamentary procedure for the hearing not covered herein. The Secretariat will appoint a hearing facilitator to keep track of time and take notes.

14.6 Decision - The appeals panel shall render its decision in writing within fourteen (14) calendar days, stating findings of fact and conclusions, with reasons therefore, based on a preponderance of the evidence presented to the appeals panel. The decision will be prepared by the hearing facilitator and approved by the panelists. A copy of the appeals decision shall be sent to the appellant and respondent. Consideration shall be given to the following positions, among others, in formulating the decision:

14.6.1 Finding for the appellant, remanding the action to the consensus body or the secretariat with a specific statement of the issues and facts in regard to which fair and equitable action was not taken;

14.6.2 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;

14.6.3 Finding that new, substantive evidence has been introduced, and remanding the entire action to the consensus body or the secretariat for appropriate reconsideration.

15.0 Parliamentary procedures

On questions of parliamentary procedure not covered in these procedures, *Robert's Rules of Order* (latest edition) may be used to expedite due process.

16.0 Record Retention

Records shall be prepared and maintained to provide evidence of compliance with ANSI Essential Requirements and the established accredited procedures. Records concerning new, revised, or reaffirmed American National Standards shall be retained for one complete standards cycle, or until the standard is revised or reaffirmed. Records concerning withdrawn standards shall be retained for at least five years from the date of withdrawal. Specific records shall be maintained as outlined below:

16.1 Agendas and Minutes from ASC A108 meetings and subcommittee meetings shall be retained for no less than 5 years at the headquarters of the Secretariat (The Tile Council of North America).

16.2 ASC A108 Procedures and Scopes shall be retained for no less than 5 years at the headquarters of the Secretariat.

16.3 ASC A108 rosters shall be maintained by the secretariat on a suitable database for no less than 5 years. These shall be updated as necessary to ensure accuracy.

16.4 Comments received on standards and responses shall be maintained in the appropriate standard files until the next revision or reaffirmation.

16.5 PINS, BSR-8, and BSR-9 Forms shall be maintained in the appropriate standard files until the next revision or reaffirmation.

16.6 Drafts of Standards developed by any A108 subcommittee shall be retained for one complete standards cycle or 5 years from the date of withdrawal.

16.7 For standards under continuous maintenance, records shall be retained for a minimum of five (5) years or until approval of the subsequent revision or reaffirmation of the complete standard.

16.8 ANSI Audit reports shall be maintained for at least two audit cycles.

Annex A: Definitions

ANSI Accreditation: The approval by the ANSI Executive Standards Council (ExSC) of the written procedures submitted by a standards developer relative to the development and documentation of evidence of consensus in connection with standards that are expected to be approved as American National Standards. Accreditation by ANSI signifies that the procedures submitted by the standards developer satisfy the essential requirements contained herein.

ANSI Audited Designator: An Audited Designator is an ANSI-accredited standards developer to whom the ANSI Executive Standards Council has granted the authority to designate their standards as American National Standards without such standards being reviewed and approved by the ANSI Board of Standards Review but such developer is subjected to additional audits.

Continuous maintenance: Continuous maintenance is defined as the maintenance of a standard by consideration of recommended changes to any part of it according to a documented schedule for consideration and action by the consensus body.

Consensus: Consensus means substantial agreement has been reached by directly and materially affected interests. This signifies the concurrence of more than a simple majority, but not necessarily unanimity. Consensus requires that all views and objections be considered, and that a good faith effort be made toward their resolution.

Consensus body: The group that approves the content of a standard and whose vote demonstrates evidence of consensus.

Hard surface flooring materials: Flooring materials, including coatings applied to flooring materials, either identified as "hard surface" by their manufacturer or which have a Shore D hardness greater than or equal to 55. For coatings, the Shore D hardness measurement is made after the coating cures on the flooring.

Periodic maintenance: Periodic maintenance is defined as the maintenance of a standard by review of the entire document and action to revise or reaffirm it on a schedule not to exceed five years from the date of its approval as an American National Standard.

Proxy: A written and signed document by which a voting member of a consensus body authorizes another person to vote in the member's stead, if allowed by the developer's procedures.

Resolved: A negative vote cast by a member of the consensus body or a comment submitted as a result of public review where the negative voter agrees to change his/her vote or the negative commenter accepts the proposed resolution of his/her comment.

Stabilized Maintenance: A standard that is maintained under the stabilized maintenance option shall satisfy the following eligibility criteria:

a) The standard addresses mature technology or practices, and as a result, is not likely to require revision; and
b) The standard is other than safety or health related; and
c) The standard currently holds the status of American National Standard and has been reaffirmed at least once; and
d) At least ten years have passed since the approval or last revision of the standard as an ANS; and
e) The standard is required for use in connection with existing implementations or for reference purposes.

Substantive Change: A substantive change in a proposed American National Standard is one that directly and materially affects the use of the standard. Examples of substantive changes are below:

- "shall" to "should" or "should" to "shall";

- addition, deletion or revision of requirements, regardless of the number of changes;
- addition of mandatory compliance with referenced standards.

Unresolved: Either (a) a negative vote submitted by a consensus body member or (b) written comments, submitted by a person during public review expressing disagreement with some or all of the proposed standard, that have not been satisfied and/or withdrawn after having been addressed according to the developer's approved procedures.

Annex B – Commercial Terms and Conditions Policy

TCNA will comply with the Commercial Terms and Conditions Policy as outlined in the current version of the ANSI Essential Requirements.

Annex C – Antitrust policy

TCNA will comply with the Antitrust Policy as outlined in the current version of the ANSI Essential Requirements.

Annex D - Metric policy

Normative

Units of the International Systems of Units (SI) and American units are both to be referenced with the unit first given being normative, followed by an informative conversion in parentheses.

Annex E – Patent Policy

TCNA will comply with the patent policy as outlined in the current version of the ANSI Essential Requirements.

Annex F: Definitions of Levels of Equivalency of National Adoptions of ISO or IEC Standards

Normative, as applicable

The definitions contained in this annex are excerpted from *ISO/IEC Guide 21 – Adoption of ISO or IEC Standards as regional or national standards*. This annex is normative in connection with actions related to the national adoption of ISO or IEC standards. Any changes in document layout (e.g., in relation to pagination, font type and font size etc.) especially in an electronic environment, have no impact on the degree of equivalence.

F.1 Identical (IDT)

The regional or national standard is identical to the ISO or IEC standard under the following conditions:

a) the regional or national standard is identical in technical content, structure and wording (or is an identical translation), or
b) the regional or national standard is identical in technical content, although it may contain the following minimal editorial changes:
   - Substitution of decimal point for a decimal comma;
   - Correction of any misprints (e.g., spelling errors) or pagination changes;
   - Deletion of text in one or several languages from a multilingual ISO or IEC standard;
   - Inclusion of any technical corrigenda or amendments issued to the ISO or IEC standard;
   - Changes to the title to be consistent with an existing regional or national series;
   - Substitution of "this regional/national standard" for "this ISO or IEC Standard";
   - Inclusion of any regional or national informative material (e.g., informative annexes that do not alter, add to or delete from the provisions of the ISO or IEC standard); examples of informative material are advice to users, training guidance or suggested forms or reports;
   - Deletion of informative preliminary material from the ISO or IEC standard;
   - Changes in wording, i.e., use of synonyms to reflect common language use in the region or country adopting the ISO or IEC standard, such as the use of "elevators" for "lifts" in certain countries;
   - Addition, for informative purposes, of recalculated values of quantity units where a different measurement system is used in an adopting country.

The "vice versa principle" is fulfilled.[3]

F.2 Modified (MOD)

The regional or national standard is modified in relation to the ISO or IEC standard under the following conditions. Technical deviations are permitted provided they are clearly identified and explained. The regional or national standard reflects the structure of the ISO or IEC Standard. Changes to the structure are only permitted if an easy comparison of the content and structure of the two standards continues to be possible.

For transparency and traceability, it is strongly recommended that a national standard adopts only one single ISO or IEC standard. Under certain circumstances, it may be appropriate to adopt several ISO or IEC standards within one national standard. However, this is only practicable for the user if an easy comparison of the content is provided in a list identifying and explaining the changes. Modified standards may also include the changes permitted under identical

[3] Vice versa principle: principle whereby anything that is acceptable under the terms of the ISO or IEC Standard is acceptable under the regional or national standard and vice versa, and thus compliance with the ISO or IEC Standard also means compliance with the regional or national standard.

correspondence.

The “vice versa principle” is not fulfilled.

A modified standard can include such cases as the following:

a) “The regional or national standard contains less.” The regional or national standard only applies a subset of the available choices in the ISO or IEC Standard, has less stringent requirements, etc.
b) “The regional or national standard contains more.” The regional or national standard adds aspects or types, has more stringent requirements, includes additional tests, etc.
c) “The regional or national standard alters a part of the ISO or IEC Standard.” Part of the content is identical, but both the regional or national standard and the ISO or IEC Standard contain some differing requirements.
d) “The regional or national standard provides an alternative choice.” The regional or national standard provides a provision of equal status, which may be used as an alternative to that given in the ISO or IEC Standard.

(Note: See Annex A of the *ISO Guide* for examples of lists of technical deviations and their explanation.)

A regional or national standard can include an ISO or IEC Standard in its totality and can contain additional technical provisions, which are not part of the ISO or IEC Standard. In this case, the degree of correspondence to the ISO or IEC Standard is either “modified” or “not equivalent”, depending on whether or not the differences are clearly indicated and technical deviations are listed and explained, although the part composed of the included ISO or IEC Standard may not have been subject to any modifications.

F.3 Not Equivalent (NEQ)

The regional or national standard is not equivalent to the ISO or IEC Standard in technical content and structure and the changes have not been clearly identified. This also can include the case where only a minority in number or significance of the ISO or IEC provisions remains in the regional or national standard. This degree of correspondence does not constitute an adoption.

Annex G: Designation, Maintenance, and Publication of a National Adoption of an ISO or IEC Standard

Normative, as applicable

G.1 Designation and Publication

This section addresses methods for informing users that a standard is a national adoption of an ISO or IEC Standard and provides recommendations associated with numbering identical adoptions. Much of the text in this annex is excerpted from *ISO/IEC Guide 21 – Adoption of ISO or IEC Standards as regional or national standards.*

Note that if changes are made to an ISO or IEC standard during the course of the development of consensus for its approval as an American National Standard and those changes are not reflected in the final ISO or IEC version of the standard, the resulting standard shall not bear the ISO or IEC standard designation. In such case, the standard will be considered a national/harmonized standard and is not an identical adoption. It shall be processed in accordance with the developer's procedures once the appropriate copyright permission is received from ANSI for use of the ISO or IEC material.

G.2 Methods of adoption notice [4](or Public Notification of the National Adoption of an ISO or IEC Standard as an American National Standard)

The adoption of an ISO or IEC standard shall ensure that the identification of the ISO or IEC standard is clearly stated. There are two methods for the adoption of ISO or IEC Standards:

- **Endorsement method: only applicable to identical adoptions. Upon approval as an American National Standard an announcement in *Standards Action* shall be made. The standard adopted shall reference the ISO or IEC designation.**

- **Republication: there are three methods of republication: reprinting, translation (with or without reprint of the original), and redrafting. Independent of which method of republication is chosen, a regional or national identifier of the organization adopting the ISO or IEC standard shall appear on the cover page and all other pages of the regional or national standard. In addition, the degree of correspondence to the ISO or IEC standard shall be stated in a prominent position and shall include the ISO or IEC reference number and year, and international title if different from the national title. (Examples: titles the same – Identical to ISO 11111: 2000; title different – Modified adoption of ISO 11111: 2000, Widgets.)**

With particular reference to the development of electronic versions of standards, standards bodies may find new methods of adoption which are not covered in the *ISO/IEC Guide 21*, or may combine the existing ones. In this case the method used will not be listed here. However, the recommendations regarding choice and indication of correspondence will still remain applicable.

For further information concerning adoption methods described above and for methods of indicating technical deviations and editorial changes, please consult *ISO/IEC Guide 21*.

G.3 Designating national standards that are identical adoptions of ISO or IEC Standards

[4] See current version of ISO/IEC Guide 21.

These guidelines supplement applicable sections of the *ANSI Essential Requirements.* When a national standard is identical to an ISO or IEC standard, this should be evident to the reader immediately on the cover and title page. The recommended method of identification for identical adoptions consists of including the ISO or IEC standard reference number (letters and number) in combination with or in association with the national designation. Depending on the method chosen, in order to improve transparency, the year of publication of the ISO or IEC Standard and/or that of the national standard should be added to the number wherever possible. Examples of acceptable methods of numbering follow:

a) **Single-line numbering:** The national letters may be separated from the ISO or IEC reference number (letters and number) by a space:
ANSI ISO 1234:1999

b) **Two-line dual numbering:** The national letters followed by the ISO or IEC reference number on a separate line or on one line using a slash to separate them:
ANSI ABC 331:1999
ISO 1234:1998

Or

ANSI ABC 331:1999/ISO 1234:1998

G.4 Maintenance of national adoptions

When adopting an ISO or IEC standard, all existing amendments and technical corrigenda to the ISO or IEC standard shall be included in the national standard. Amendments and technical corrigenda published after the adoption of an ISO or IEC standard should be considered for adoption as soon as possible. Adoption of amendments shall follow the same procedure as for the adoption of the original standard. Technical corrigenda (i.e., errata) may be published following the standards developer's usual procedures.