



## **B101 PROCEDURES FOR DEVELOPING 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 developing standards.

When operating outside of this document, titled “B101 Procedures for Developing 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 B101 International 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 Standards Committee**

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

#### **2.3 Committee Secretary**

NFSI Board of Directors 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. Maintain rosters of the Committee and subcommittees.
- d. Submit standards approved by the Committee with supporting documentation for NFSI Board of Directors approval as an NFSI B101 Standard.
- e. Ensure adherence to periodic maintenance of standards.
- f. Maintain all records pertaining to the Committee and subcommittees.
- g. Provide administrative support and secretarial services as necessary, for the Committee and subcommittees.
- h. Publish approved standards and revisions and reaffirmations thereto.
- i. Perform other functions as required.

## **2.4 Records**

All material associated with the development of a standard (including new standards, reaffirmations, withdrawals and revisions) shall be retained for one complete standard 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 directly and 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 of Directors.

Because of the nature of the standards under the responsibility of the B101 Standards Development Committee, a basic technical understanding and knowledge of the subject matter is required to be a voting member of the committee. The NFSI Board of Directors will determine if this criterion is met.

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

## **2.6 Interest Categories**

For purposes of developing a Standard, all members of the Committee(s) shall be classified as Producers, Users, 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, floor matting, floor cleaners and surface finishes, floor auditing, testing equipment, 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, expert witnesses 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 General Interest**

General Interest members are neither Producers nor Users. This category includes, but is not

limited to, regulatory agencies (state and federal), researchers, educators, trade associations and any individual or organization that is affected by or interested in the need for slip, trip and fall prevention. Trade Associations are defined as 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.

## **2.7 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 (unless a waiver by the NFSI Board of Directors 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.

## **2.9 Participation Fees**

There is a fee to participate as a member of the B101 Standards Committee. This fee is determined periodically by the NFSI Board of Directors to offset some of the costs associated with sponsoring the B101 Standards Development process. It is not intended to be a financial barrier to participation. The participation fee may be waived for those without organizational support for purposes of obtaining balance in the membership of the B101 Standards Development Committee. 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.

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

- a. The request for a waiver or reduction is submitted in writing to the attention of the Secretary.
- b. The request provides the reasons, in detail, why a waiver or reduction is appropriate.
- c. Supporting materials shall be submitted with the request. Additional material may be requested by the NFSI Board of Directors.
- d. The request for a waiver or reduction is reviewed by the NFSI Board of Directors.
- e. The NFSI Board of Directors will reach consensus and staff will notify the submitter of the decision.

## **3. MEETINGS**

### **3.1 Frequency**

Meetings to develop draft B101 Standards shall be on an as-needed basis and shall take place at least once per calendar year.

### **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 within two weeks of the meeting when possible.

### **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 simple 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. Subcommittee Chairs shall appoint subcommittee members as deemed necessary to complete their work. Subcommittee members need not be members of the NFSI or the B101 Main 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. NFSI staff may electronically record the meeting as to ensure accuracy in producing meeting minutes.

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

Upon approval from the NFSI Board of Directors to initiate a project to develop or revise a standard, notification of standards activity shall be announced in suitable media (print, web site, electronic mail, etc.) used by NFSI to demonstrate provision of opportunity for participation by all directly and materially affected persons.

Timely and adequate notification of any action to create, revise, reaffirm, or withdraw a standard, and the establishment of a new subcommittee, shall be made. The notification shall include a clear description of the purpose of the proposed standards activity and who the proposed stakeholders that might be affected are. It shall also identify the contact individual for the B101 standard development committee for further information. In addition, the name, affiliation, and interest category of each member of the B101 Standard Development Committee shall be made available to interested parties upon request.

It is recommended that NFSI make available, in the normal media it uses, at least once a year, its work program of standards that it is currently preparing, amending, or revising and standards it has adopted or published in the preceding period.

## **5. SUBSTANTIVE CHANGE**

A substantive change in a standard is one that directly and materially affects the use of the standard and is not editorial in nature. 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 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 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 shall be via email or electronic balloting.

## **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. Whereby 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, withdrawals of and interpretations of all standards shall be considered approved when all of the following conditions have been met:

- a. At least 50 percent of the members have returned their letter ballot.
- b. A majority (greater than 50%) of the votes cast, excluding abstentions and negatives without reasons, are affirmative.
- c. 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, shall 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. Negative comments that do not include

specific wording or actions that would resolve the objection will be considered as advisory.

### **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 or not germane. All comments will be given a written response of the subcommittee's disposition of their comments and the reasons, therefore.
- b. The responses to all 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, all these comments, with the accompanying responses, will be circulated for new balloting as well. In cases where negative votes or comments remain unresolved or substantive revisions are made to the standards, each unresolved objection and attempt at resolution, and any substantive change made in the proposed B101 Standard shall be reported to the consensus body in order to afford all members of the consensus body an opportunity to respond, reaffirm, or change their vote.
- c. Voting members or public review participants who have unresolved negative votes (comments) shall be notified in writing of the Committee's disposition of their comments and the reasons therefore, 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**

All standards developed by the B101 Standards Development Committee shall use units from the International System of Units (SI) wherever units are specified.

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

Proposals for new standards or reaffirmation, revision, or withdrawal of existing standards shall be posted on the NFSI website. 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/reasons therefore in accordance with Section 6.9 above. During public review, directly and materially affected persons will have 45 days for review and submission of comments on proposed standards.

## **10. PATENT POLICY**

If a patented item can be technically justified as necessary for inclusion in a standard, it may only be included under the following conditions. Prior to balloting by the B101 Standards Development Committee, all known or potential patents on inventions that may be required in order to comply with the provisions of the standard shall be disclosed. Further, it shall be documented that the patent holder will make available without compensation, or under reasonable terms and conditions without discrimination, a license to any applicants for the purpose of implementing the standard. Finally, a note shall be added to the foreword of the standard alerting the user that compliance with this standard may involve the use of an invention that is covered by patent rights.

## **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 shall have the right to appeal. Those requesting an appeal will be required to include a non-refundable fee in the amount of \$1000 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 completes the review of the waiver/reduction.

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

- a. The request for a waiver or reduction is submitted in writing to the attention of the Secretary.

- b. The request provides the reasons, in detail, why a waiver or reduction is appropriate and necessary.
- c. Supporting materials shall be submitted with the request. Additional material may be requested by the Board of Directors.
- d. The request for a waiver or reduction is reviewed by the Board of Directors.
- e. The Board of Directors 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 and 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. 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 (either in-person or via electronic means) with an appeals panel on a date agreeable to all participants, giving at least ten working days' notice.

### **12.3. 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.

### **12.4. 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.

### **12.5. Decision**

The appeals panel shall render its decision in writing to both the Secretary and the appellant within fifteen 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.

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

These Operating Procedures are maintained by NFSI. Proposed revisions to these Operating Procedures must be submitted in writing to the Secretary along with a supporting rationale for the proposed change. Proposed revisions will be presented to the NFSI Board of Directors for review and consideration. 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 Procedures.

### **14. COMMERCIAL TERMS AND CONDITION POLICY**

Provisions involving business relations between buyer and seller, such as guarantees, warranties, and other commercial terms and conditions, shall not be included in B101 Organization standards. It is not acceptable to include proper names or trademarks of specific companies or organizations, acceptable manufacturer lists, service provider lists, or similar material in the text of a standard or in an annex (or the equivalent). Where a sole source exists for essential equipment, materials, or services necessary to determine compliance with the standard, it is permissible to supply the name and address of the source in a footnote or informative annex as long as the words "or the equivalent" are added to the reference. In connection with standards that relate to the determination of whether products or services conform to one or more standards, the process or criteria for determining conformity can be standardized as long as the description of the process or criteria is limited to technical and engineering concerns and does not include what would otherwise be a commercial term or proper name.

### **15. COPYRIGHT**

The standard shall have a notation on the Title Page, in Foreword, or in the Footer as to whether it is covered by a copyright of the NFSI. The standard should refer specifically as to whether it is copyrighted or not, regardless if it is by the NFSI, and which countries it is registered in.

**End of Procedures**