



Standards Development and Modification Procedure A

1. Scope

- 1.1 This document applies to the development, revision, reaffirmation and withdrawal of standards by SCS Standards Development (hereafter SCS Standards) that are candidates for designation as American National Standard (ANS). This procedure is aligned with *ANSI Essential Requirements: Due process requirements for American National Standards*.

2. Participation in Standard Development Process

At the onset of standard development or revision process, SCS Standards will form a Standard Development Committee (SDC) open to all affected stakeholders. The Committee shall have balanced representation with no single interest category constituting a majority of the membership in the committee, in alignment of ANSI's historical definition of balance.¹ Standard Development Committee is the Consensus Body whose members have voting rights and approve the content of the standards.

- 2.1 A Standard Development Committee for a particular standard will consist of the following categories:
- Producers (organizations and/or individuals that manufacture/create the product to undergo certification under the standards)
 - Users (organizations and/or individuals in the industry sector that use the product manufactured/created by Producers)

¹ SCS Standards does not intend to develop safety standards

- Civil Society (e.g., nonprofit organizations working independently from any government and active in the industry sector, Corporate Social Responsibility and related areas; labor organizations)
- General Interest stakeholders (e.g., certification bodies, academics, individual experts, government agency representatives,)

The list of categories may be expanded as necessary.

- 2.2 Stakeholders interested in participating in the SDC shall complete an application form on SCS Standards website, indicating their interest category, affiliation, knowledge and experience as they relate to their interest category. SCS Standards will review the applications before adding SDC member, ensuring balance of interest categories and lack of dominance. If any of the interest categories remains underrepresented, SCS Standards will conduct further outreach to ensure balanced representation of interests in the SDC, ensuring lack of dominance is preserved. Applicants will be informed by SCS Standards Director (or designee) of being added to the SDC.
- 2.3 The SDC may also include non-voting “ex-officio” members including, for example, members of SCS Standards or persons with recognized specific expertise as approved by the SDC and SCS Standards.

Observers and Alternates

- 2.4 Individuals representing a stakeholder group, consultants or other experts may be granted observer status with the approval of SCS Standards and the Convener. Observers may be invited by the SDC to present items or contribute to discussions. SCS Standards reserves the right to remove observers from meetings or have their observer status revoked if their participation causes interruptions to the SDC workflow.
- 2.5 An SDC member may identify another individual from his/her organization to serve as his/her alternate.

Meetings

- 2.6 Standard Development Committee meetings will be held with the frequency described in the standard-specific Terms of Reference (see Section 3 of this document). Meetings will be held in person or virtually (by prior agreement) when simple majority of the SDC members is present.

Convener and Committee Secretary

- 2.7 SCS Standards appoints an individual with relevant expertise to serve as the Convener of the SDC during SDC meetings. The Convener:
- approves meeting agendas;

- presides over committee meetings;
 - assures that business is conducted in an orderly fashion;
 - makes procedural decisions in coordination with SCS Standards (e.g., preparations for meetings, participation of observers)
- 2.8 In addition, SCS Standards assigns a representative to act as Committee Secretary to support the work of the SDC, documenting meeting minutes and decisions, and revising standards in accordance with committee decisions.
- 2.9 Whenever possible, prior to all SDC meetings, SDC members will receive agendas, comment sheet templates and instructions. After the meetings SDC members will be sent notes of decisions made on the comments discussed.

Subcommittees and Task Groups.

- 2.10 The SDC may form subcommittees and/or task groups to address distinct issues of importance to the Committee's work, such as an editing subcommittee, a subcommittee to address a technical issue, etc. Typically, subcommittee members are members of the SDC, but the SDC may also invite observers to participate in subcommittee discussions.

Comments

- 2.11 All SDC members in the process may submit comments during official comment periods. Comments are classified as general, technical, or editorial. The Committee Secretary (or designee) will compile the comments and gather input from subject matter experts as needed prior to the SDC discussion.
- 2.12 The SDC resolves all comments by accepting, accepting with modifications, or not accepting. When a comment is not accepted, a justification therefor must be provided in writing. Comments review is facilitated by the Committee Convener, and notes on decisions and justifications are taken by Committee Secretary.

Consideration of Views and Objections

- 2.13 Prompt consideration shall be given to the written views and objections of all participants, including those commenting on the listing in "Standards Action." A concerted effort to resolve all comment(s) shall take place.
- 2.14 Each unresolved objection and attempt at resolution, and any substantive change made in a proposed American National Standard shall be reported to the Standard Development Committee in order to afford all members of the SDC an opportunity to respond, reaffirm, or change their vote.

- 2.15 In connection with an objection articulated during a public comment period, or submitted with a vote, an effort to resolve all expressed objections accompanied by comments related to the proposal under consideration shall be made, and each such objector shall be advised in writing (including electronic communications) of the disposition of the objection and the reasons therefor. If resolution is not achieved, each such objector shall be informed in writing that an appeals process exists within SCS Standards' Appeals and Complaints Resolution Process (Annex A).
- 2.16 All substantive changes shall be submitted to ANSI via the BSR8 for further public review. Submitter of unresolved negative votes (from Standard Development Committee members) and unresolved comments (from public reviewers) shall be notified in writing of their right to appeal and of the appeals process.
- 2.17 When the above process is completed, comments received after the closing of the public review may be considered, or they shall be considered at the next review. Timely comments that are not related to the proposal under consideration shall be documented and considered in the same manner as submittal of a new proposal. The submitter of the comments shall be so notified.

Voting and Decision Making

- 2.18 Decision making is determined by votes of the SDC members during SDC meetings.
- 2.19 Observers are not eligible to vote on SDC decisions.
- 2.20 All members of the SDC (or their alternates) are given an opportunity to vote. Those unable to vote during the SDC meeting shall be given an opportunity to vote prior to or after the meeting.
- 2.21 The SDC makes decisions by consensus. Consensus is achieved when the majority of the Standard Development Committee cast a vote (including abstentions) and at least two-thirds of the voting members vote to approve (not counting abstentions). In the event that SCS Standards receives an objection submitted during a public comment period or with a vote, an effort to resolve all expressed objections accompanied by comments will be made. Each objector will be advised in writing of the status of the objection and justification. If resolution is not achieved, each objector will be informed in writing of the appeals process described in Annex A of this procedure. Further, each unresolved objection resulting from public review or submitted by a member of the SDC will be reported to the ANSI BSR.

3. Terms of Reference

- 3.1 Terms of Reference shall be developed for all revisions to existing standards and at the onset of new standards development processes. These Terms of Reference shall be published on the SCS Standards website.
- 3.2 The Terms of Reference shall address:
- The proposed scope of the standard and intended geographic application
 - A justification of the need for the standard and a listing of other standards operating or in development that meet all or part of this need;
 - Goals and objectives;
 - Social, environmental and economic outcomes that the standard seeks to achieve;
 - Levels of achievement;
 - Timelines and milestones;
 - Consultation and voting/decision-making process,
 - Necessity for field-testing requirements and advisory services (e.g., technical committee)

4. Harmonization with Existing or Candidate Standards

- 4.1 At the commencement of a new standards development process, SCS Standards shall resolve identified potential conflicts with the existing American National Standards and candidate American National Standards. Reasonable efforts shall be made to ensure the new standard to be developed is not redundant or duplicative and is harmonized with the existing standards. Records of these efforts shall be maintained.

5. Standard Development Notification

- 5.1 SCS Standards shall announce development of a new or revision of the existing standard on its website and appropriate media to allow the affected stakeholders an opportunity to participate in the development/revision process.
- 5.2 At the initiation of a project to develop or revise an American National Standard, notification shall be provided to ANSI using the Project Initiation Notification System (PINS) form announcement in Standards Action. Comments received in connection with a PINS announcement shall be handled in accordance with the requirements set forth in clause 2.5 (and its subsections) of the *ANSI Essential Requirements*.

- 5.3 A statement shall be submitted and published as part of the PINS announcement that shall include an explanation of the need for the project and identification of the stakeholders likely to be directly affected by the standard.

Standards Content

- 5.4 Standards shall include criteria to address all of the defined social, environmental and economic outcomes, and any claims made about the standard or compliance with the standard should be consistent with these defined social, environmental and economic outcomes.
- 5.5 Standards shall meet or exceed existing regulatory requirements, and clearly reference relevant existing national and/or international laws and regulations.
- 5.6 Standards shall be clearly written to promote accurate and consistent interpretation by all parties, and only include language that is specific, objective and verifiable.
- 5.7 Requirements shall be expressed in terms of process, management and performance criteria, rather than design or descriptive characteristics, and shall not favor a particular technology or patented item.
- 5.8 Standards shall include a definition of the scope to which the standard applies.
- 5.9 Standards shall attribute or cite all original intellectual sources of content.
- 5.10 Standards shall not present administrative requirements related to assurance, claims or labels or other non-technical issues integrated with technical and/or performance requirements.
- 5.11 If it is necessary to include specifications for more than one category, type and/or sector within the same Standard, the category, type, and/or sector requirements shall be clearly provided and defined, as needed.
- 5.12 Standards shall specify requirements or tests that are designated for the following purposes:
- initial conformity assessment and/or testing;
 - surveillance auditing and/or testing to ensure continued compliance; and
 - issuance of certificates of compliance and/or reports of verification or validation.
- 5.13 The requirements shall be clearly defined, along with the required sampling methods to verify the specified processes. Standards shall define the sequence of sampling and/or tests when the sequence may influence results.

6. Public Consultation

All Standards must undergo Public Consultation period. Proposals for new American National Standards as well as revisions, reaffirmations or withdrawals shall be communicated to ANSI using the BSR-8 form, or its equivalent, for listing in Standards Action in order to provide an opportunity for public comment. Public comment period shall be no less than 45 days provided the document for consultation is available electronically, and a minimum of 30 days if the full text of the revision(s) can be published in *Standards Action*. Additional public comment periods shall be introduced if substantive changes are made.

7. Processing Interpretations

Standards interpretation requests shall be submitted to SCS Standards in writing. SCS Standards personnel with appropriate expertise in the subject area will be assigned to work on interpretation. In the event that SCS Standards does not have subject area expertise on staff, interpretation request will be sent to a subject matter expert on the Standard Development Committee who will provide a response in writing to be sent to the individual requesting interpretation by SCS Standards. All interpretations will be published on SCS Standards Development website and reviewed during next standard revision.

8. Metric Policy

In compliance with the *ANSI Essential Requirements*, SCS Standards will adopt units of the International System of Units (SI), the modernized metric system as the preferred units of measurement.

9. Patent Policy

SCS Standards will follow the ANSI Patent Policy as described in Section 3.1 of the *ANSI Essential Requirements*, when applicable.

10. Commercial Terms and Conditions

Standards developed by SCS Standards shall not include any commercial terms, appearances or endorsement of any particular products, services, or companies. ANSI Commercial Terms and Conditions Policy in 3.2 of the *ANSI Essential Requirements* shall be followed.

11. Antitrust Policy

SCS Standards shall follow applicable antitrust and competition laws when developing American National Standards. Meetings among competitors to develop American National Standards shall be conducted in accordance with these laws.

12. Standard Revision and Modification

- 12.1 SCS Standards will review standards prior to each 5-year anniversary for continued relevance, effectiveness in meeting its stated objectives and to determine whether the standard requires revision, reaffirmation or withdrawal. If deemed necessary, revisions shall be made in a timely manner.
- 12.2 Stakeholders shall be provided opportunities to submit suggestions for standard revision or requests for clarification at any time through SCS Standards website, and their comments shall be recorded and considered during the revision process.
- 12.3 If SCS Standards team identifies a need for non-substantive changes to a standard (e.g., correcting typographical and grammatical errors, clarifying the language, updating references to other standards when they change, etc.), a formal revision with stakeholder consultation shall not be required. Notification of such changes shall be included in the subsequent formal revision process.
- 12.4 Revisions of standards shall undergo the same public consultation process as new standards under development.
- 12.5 The revised standards shall include the date of a revision or reaffirmation of the standard, as well as the transition period by which the revised standard will come into effect.
- 12.6 SCS Standards shall notify the stakeholders of the revised standards and transition period.
- 12.7 SCS may withdraw a standard at its own discretion without initiating a voting process by a Standard Development Committee.

13. Records

SCS Standards shall retain records for one complete standard cycle, or until the standard is revised. Records concerning withdrawals of all American National Standards shall be retained for at least five years from the date of withdrawal or for a duration consistent with the audit schedule.

Records to be retained include, but are not limited to, the following:

- records related to each standard development or revision process;
- policies and procedures guiding the standard setting activities;
- lists of stakeholders contacted;
- stakeholders involved at each stage of the process;
- comments received and a summary of how those comments were taken into account;
- all draft and final versions of the standard; and
- records related to withdrawals of all American National Standards

These records shall be made available to stakeholders upon request and Such records shall be available for audit as directed by the ANSI Executive Standards Council (ExSC).

14. Appeals

- 14.1 Procedural complaints related to standard development and modification shall be resolved in compliance with the SCS Standards Appeals and Complaints Resolution Procedure, provided in Annex A.

15. Optional Field Testing

- 15.1 The SCS Standards Board of Directors may recommend a field test of a standard undergoing development or modification. Field tests may be conducted during or after consultation process to understand the applicability of the standard criteria in a real world setting.
- 15.2 Field testing shall be overseen by the SCS Standards. Recommendations about the applicability of certain standard criteria and recommendations for further modification will be issued.

16. Standards for Trial Use

- 16.1 The SCS Standards Board of Directors may designate a standard as a Standard for Trial Use to test the viability of the standard's requirements.
- 16.2 A Standard for Trial Use shall be in effect for a period of time not to exceed 18 months from time of approval.
- 16.3 Prior to the expiration date of the Standard for Trial Use, the SCS Standards Board of Directors shall determine whether to process the standard as an SCS Standards standard or withdraw it from further use.

Annex A – Appeals and Complaints Resolution Process

The following steps describe SCS Standards' process for addressing appeals and complaints related to procedural issues in the standards development process caused by action or inaction of SCS Standards and lodged by directly and materially affected stakeholders, if other means (e.g., redress of written request to Standards Development Committee convener) of addressing these issues have been exhausted.

1. Appeals and complaints shall be submitted in writing. There shall be no cost to the appellant for such a submission. The appeal shall include a statement identifying the objection, the basis for the objection, and the suggested remedial action that would resolve the issue. The appeal shall be filed within 30 days of notification when it relates to action of SCS Standards and at any time when it relates to inaction.
2. The appellant shall be given the opportunity to present arguments in support of the objection.
3. SCS Standards Director or designated staff person(s) shall investigate the objections raised, consider whether applicable procedures were satisfied and whether the appeal merits corrective action, and attempt to resolve the issue within 30 days of receipt. Each allegation shall be addressed to the extent possible. If resolution within 30 days is not feasible, the appellant shall be provided with a status update.
4. The appellant shall provide a response to the resolution proposed by SCS Standards in writing within 30 days of receipt. If no response is received from the appellant within 30 days, the appeal will be considered closed.
5. If the Standards Development Team cannot resolve the objections within 60 days of receipt, a separate hearing by the appeal panel shall be convened. The appellant shall be provided an opportunity to claim any member of the hearing panel as having a conflict of interest and excused from the deliberation. The appeals panel shall include three individuals who will not be materially affected by any decision made in the hearing. Appellant shall accept at least two members of the panel. The hearing should be held within 60 calendar days of the date on which it is agreed that an informal resolution is not feasible. The appellant shall be given the opportunity to present arguments in support of his or her objection.
6. The appeals panel shall issue a written decision following the hearing, within 30 days. The decision shall indicate the conclusions reached, and their basis. A complete record of the appeal shall be compiled and maintained. The appellant shall receive a written copy of the final decision.