

**Approved Revisions to UL’s Accredited Procedures – Effective  
November 1, 2009**

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# Approved Regulations Governing ANSI/UL Standards Technical Panels

## 1 General Provisions

**1.1 Scope of Regulations** - These Regulations cover the process of developing and revising ANSI/UL Documents and the role of the Standard Technical Panels (STPs) in this process. Rules concerning the establishment and operations of STPs are provided as well as criteria for striving for a balance of interests within the membership. These Regulations also stipulate voting procedures and provide detailed requirements for the consideration of all negative votes and all public comments.

**1.2 UL Guidelines** - UL may adopt guidelines to supplement but not conflict with these regulations. These shall take the form of Guidelines adopted and administered according to 1.2.2.

**1.2.1 References to UL** – For the purposes of these Procedures, the term UL refers to Underwriters Laboratories Standards Department.

**1.2.2 Supplemental Guidelines** - Guidelines shall include those key directives of UL that deal with the governance of STPs. Such guidelines shall be approved by the Vice President of Standards. Proposals for new guidelines or amendments may be submitted to the Vice President of Standards in writing. The Vice President of Standards shall inform the submitter in writing as to the disposition of his or her proposal. Guidelines shall be published and available on request.

**1.3 Definitions** - The following terms, used in these Regulations, shall have the meaning indicated below:

**ANSI/UL Standard** – a document that has been developed and established with the consensus principles of the Standards Technical Panel and that meets the approval requirements of UL's ANSI accredited procedures.

**Appeal** — any request submitted in writing to UL for the adoption, reversal, or modification of any procedural action or inaction taken by the STP or UL at any time in the document development process. Safety issues, code conflict issues and membership issues are also appealable as described in 5.3.

**CSDS (Collaborative Standards Development System)** - UL's paperless, web-based standards development system solely used to submit proposals, comment, and vote on proposals at any time of the day from any computer with internet access that meets the minimum system requirements. CSDS is the only means in which to participate in UL's standards development (submitting proposals, voting and commenting). The system can be found at <http://csds.ul.com>.

**Comment** — a position (for or against), opinion, observation, explanation, criticism or recommendation concerning an STP Proposal, expressed in writing in accordance with 3.3. It can also mean a technical justification of a negative vote or an explanation of an abstention or affirmative vote.

**Consensus** – the judgment arrived at through the balloting and review procedures of these regulations.

**Co-Published Standard** - A standard that is co-published with other Standards Development Organizations (SDOs) such as Canadian Standards Association (CSA), Asociacion de Normalizacion Y Certification (ANCE), Instrument Society for Measurement and Control (ISA), or UL of Canada (ULC).

**Discussion** – remarks made about a Comment in a CSDS Work Area. Discussions will not receive an official response.

**Editorial Changes** – those changes (such as spelling, sentence structure, punctuation, changes to appropriate format, updating standard titles, and replacing reference to withdrawn standards when there are no substantive changes, etc) that do not change the meaning, scope, or intent of the standard.

**Effective Date** – The date at which the requirements in the standard must be complied with by certification organization customers. This is set by the respective certification organization. Effective dates may be included in the standard but are not part of the ANSI approved text and are not subject to these consensus procedures.

**Meeting Report** – a summary of discussions and actions taken at an STP meeting.

**Member** — a person, regardless of voting status, who serves on an STP.

**Project Initiation Notification System (PINS)** – a form submitted to ANSI, which is published in ANSI Standards Action, notifying the general public that UL intends to open a project to obtain ANSI approval on a new standard. If a Standard is not under Continuous Maintenance, then a PINS is required for each revision.

**Project** — a technical activity defined by an approved scope within which an STP functions to develop or maintain one or more Standards.

**Proposal** — a suggested revision to an ANSI/UL Standard or a new UL Standard submitted in accordance with 3.1.

**Proposal Document** – a proposal or proposed standard under consideration of the STP.

**Provisional ANSI Standard** – a document published for a limited period of time by UL when all three of the following conditions are met: (1) there are documented incidents of a risk of serious injury or death that warrants immediate action; (2) an alternative method is not in current use or is unavailable to the public; and (3) there is a well established need for prompt issuance of a document to address an emergency situation or other special circumstance. (See 4.1 for more details)

**Public Review Participant** – a person who participates in a CSDS Work Area as a result of a notice in ANSI Standards Action or a subscriber to a CSDS account who submits comments.

**Reaffirmation** — continuation of an existing ANSI/UL Standard without change except for updated numbering and editorial adjustments for those Standards that have not been revised in a 5-year period.

**Recommendation** — STP action on a Proposal or Comment taken at an STP meeting.

**Standards Technical Panel (STP)** - a group of individuals representing a variety of interest categories formed to provide input on new or revised UL standards. The STP is responsible for providing proposals, and reviewing and balloting proposals. The group may also meet to discuss UL standards-related issues. It serves as the consensus body for ANSI/UL Standards.

**Substantive Changes** – a substantive change in an American National Standard is one that directly and materially affects the use of the standard. Examples of substantive changes include:

- a) Modification of "shall" to "should" or "should" to "shall";
- b) Addition, deletion or revision of requirements, regardless of the number of changes;
- c) Addition or deletion of mandatory compliance with referenced standards;
- d) Revision of date of referenced code or standard, including the National Electrical Code (NEC); or
- e) Modification that changes the intent, scope, or meaning of the standard or has an impact (either positive or negative) on the manufacturer or regulator.

**Task Group** — an ad hoc group appointed by the STP Chair to address a specific topic or issue within a standard.

**1.4 Authority** – UL has issued the following Regulations, which it can amend from time to time and waive or supplement, in whole or in part, at any time or times at its discretion, while maintaining compliance with the ANSI Essential Requirements.

**1.5 Conflicts with ANSI Recognized Installation Codes or the Code of Federal Regulations** – Authorities Having Jurisdiction (AHJs) have relied on UL Standards being compatible with nationally-recognized, consensus-based installation codes and the Code of Federal Regulations (CFR). This allows the AHJs to act with confidence in accepting products for installation within their jurisdiction. This is a fundamental cornerstone of the US safety system. It is UL’s policy that its standards not be in conflict with ANSI recognized national installation codes and the CFR. If a proposal that would bring the standard into compliance with the code or CFR is defeated, then the STP decision is appealable. If a proposal is submitted to UL and approved by the STP, causing the standard to be in conflict with the code or CFR, then the STP decision is appealable.

## **2 Establishment and Operation of Standards Technical Panels**

### **2.1 Establishing and Dissolving Standards Technical Panels**

**2.1.1 General** – UL is responsible for establishing and dissolving STPs.

**2.1.2 Membership** –UL is responsible for determining the size and membership of each STP in accordance with 2.2. Membership for a new STP shall be enlisted through a request to submit applications from UL and through a call for members in ANSI’s Standards Action.

**2.1.3 Structure** - Each STP shall have a Chair, a Project Manager, and may have assigned task groups to handle specific assignments.

**2.1.3.1 Appointment of STP Members and Their Tenure** - The Chair and Project Manager shall be appointed by the Vice President of Standards. The STP Members after applying for membership shall be appointed by the STP Chair if selected. Those STP Members who consistently neglect to return ballots, consistently abstain on ballots, or otherwise exhibit lack of interest, knowledge, or responsibility may be removed for the stated causes at any time. If an STP Member does not return two consecutive ballots, a warning may be sent to the STP Member stating that failure to return the next ballot may result in removal from the STP.

**2.1.3.2 Change of Status** - When the status of a Member changes, including changing employment, organization represented, or funding source, the individual’s continued membership is contingent on submitting a new application for membership to the STP Project Manager. The change in status of the applicant, including any change in

classification, shall be considered by the STP Chair when reviewing the request for membership and does not guarantee acceptance.

**2.1.3.3 Appointment of Chair** - The Chair shall be appointed by the Vice President of Standards and is a non-voting member. The responsibilities of the Chair are as follows:

- a) Provide leadership to the STP and ensure that the process is conducted in an efficient, effective, and timely manner;
- b) Schedule meetings as needed;
- c) Preside over meetings and ensure that due process is followed, order is maintained and all members have the opportunity to participate;
- d) Coordinate selection of Task Group members and establish the specific assignment to be addressed by such Task Group;
- e) Review STP applications and determine whether applications can be accepted, put on Applications Pending list, or rejected. Chairs also make decisions regarding changes in membership category and the possible termination of existing member;
- f) Maintain knowledge and expertise on ANSI procedures; and
- g) Review ballot packages when there is no need for a meeting.

**2.1.3.4 Appointment of Project Manager** – The Project Manager is appointed by the Vice President of Standards. In most cases, the Project Manager is a UL Standards Department Staff person, in which case the Project Manager would be a non-voting member. However, a member of the STP not employed by UL may be appointed by the Vice President of Standards to serve as Project Manager, in which case the Project Manager would be a voting member unless there is already a voting member from their organization on the STP. The responsibilities of the Project Manager are as follows:

- a) Support STP Chair by performing specific tasks related to Chair responsibilities;
- b) Assist the STP with workflow, act as a central starting point for all incoming questions and need for assistance with any Standards related activity;
- c) Prepare proposal documents in accordance with UL guidelines;
- d) Issue proposal documents (in UL CSDS) to STP members for voting and commenting;
- e) Coordinate STP Applications and maintain STP membership roster;

- f) Communicate with the Chair on changes in STP membership, availability of meeting dates and places, and the like;
- g) Maintain voting records and other relevant document or records;
- h) Develop agendas for and reports of STP meetings;
- i) Prepare all required ANSI forms;
- j) Coordinate meeting details; and
- k) Maintain knowledge of ANSI procedures and serve in an advisory capacity and assist the STP to achieve compliance with these Regulations.

**2.1.3.5 Task Groups** – The STP Chairs may at their discretion create Task Groups to address a specific topic or issue. The Task Group shall be appointed and discharged by the Chair. Persons serving on a Task Group need not be Members of the STP. Such a group need not be balanced by interest. The Chair of the Task Group shall be selected by the STP Chair and shall be responsible for determining when general consensus is achieved within the Task Group. The Task Group shall forward recommendations to the STP for action.

**2.1.3.6 Continuing Jurisdiction** - Each ANSI/UL Standard issued by UL shall be under the continuing jurisdiction of an appropriate STP. It shall be the responsibility of each STP to review periodically the Documents for which it is responsible to ensure that they are kept current and to consider suggested revisions. ANSI approval needs to be maintained through revision or reaffirmation every 5 years.

**2.1.3.7 Duration of an STP** - Each STP shall continue until discharged by the Vice President of Standards or consolidated with another STP or reorganized into new STPs.

## **2.2 Membership of STPs**

**2.2.1 Endorsement Not Constituted** - Membership on an STP shall not in and of itself constitute an endorsement of UL or of any Document developed by the STP on which the Member serves.

**2.2.2 Types of Membership** - Membership shall be limited to Voting and Nonvoting types.

**2.2.2.1 Voting Members** – Voting members of the STP shall consist of the following interest categories:

- a) **Producer** – For standards establishing product requirements, a representative of a company that is engaged in the manufacture of products covered by the standard. For standards establishing requirements for the installation and/or

servicing of products or systems, a representative of a company that is engaged in the installation and/or system servicing. A company which contracts out operations (such as fabrication and/or assembly for product manufacturing), but still retains some control of the overall process, (including for example, performance of such major functions as research and development, design, ownership of tools and dies, production scheduling, quality control and wholesale distribution for product manufacturing) is also considered to be a producer. A consultant or agent who represents a producer is considered a producer.

- b) Testing and Standards Organizations - organizations that test and/or certify products, services, or systems covered by the standard, or that develop standards/codes related to the products, services, or systems covered by the Standard
- c) Supply Chain – component producers for an STP responsible for standards covering end products, or end-product producers for an STP responsible for standards covering components; and installers, distributors, and retailers. Manufacturers who have no manufacturing facilities for the products covered by the STP, but solely use contract manufacturers to make the products are considered part of the supply chain category. Wholesale or retail purchase-resellers for products made by other companies are also considered as part of the supply chain category.
- d) AHJ - those involved in the regulation or enforcement of the requirements of codes and standards at the regional (e.g. state or province) and/or local level. The authority having jurisdiction may be a regional or local department or individual such as a fire chief; fire marshal; chief of a fire prevention bureau, state department of insurance official, labor department, or health department; building official; electrical inspector; or others having statutory authority.
- e) Government – Representatives from national government agencies. For U.S. representatives these may include CPSC, FDA, EPA, DOT, DOE, DOD, NIST, etc. Also, representatives of regional (e.g. state or province) or local government bodies that do not fall under the category of AHJ.
- f) Consumer - consumer organizations, consumer departments at universities, home economic departments at universities, professional consumers, individuals who use the product as part of their livelihood and are not eligible for STP membership under another interest category.
- g) General Interest –consultants (see 2.2.2.3), academia, scientists, etc that are not covered by the other participation categories, such as professional societies, attorneys, and safety experts and trade associations. Companies that only private-brand label products (made by another manufacturer) covered by the STP. This includes all others not otherwise classified.

h) Commercial / Industrial Users – organizations that use the product, system, or service covered by the applicable standards under the STP in a commercial or industrial setting. Examples include a restaurant owner/operator serving on an STP for commercial cooking equipment, or a gas station owner/operator serving on an STP for flammable liquid storage tanks. Representative of organizations that produce products, systems, or services covered by the standard, whose organization also use the product, systems, or services, are not eligible for STP membership under this category.

i) International Delegate – International delegate is an individual representing a National Standards Body outside of the United States (e.g. JISC, DIN). This person is designated by the National Standards Body and approved by the STP Chair. A National Standards Body can only have one International Delegate per STP. The International Delegate will have full voting privileges. An International Delegate will be granted non-voting status if the International Delegate's base Company or Organization is already on the STP.

If the STP Chair believes there is a discrepancy with the interest category, the STP Chair makes the decision of classification based on the STP application and provided resume and notifies the applicant of the change of status. Decisions are appealable within 30 calendar days of notification of the classification.

Note that not all interest categories need to be represented.

**2.2.2.2 Nonvoting Members** - A person meeting the requirements of 2.2.4.2 may be appointed as a Nonvoting Member if the Chair determines that such an appointment serves a useful purpose. Nonvoting Members may serve in an advisory, corresponding, or liaison capacity.

**2.2.2.3 Consultants** - A consultant retained by a company or organization, whereby the arrangement includes representing it on an STP, shall be considered the same classification and voting interest as the organization by which the member is retained. If a consultant is solely retained by one company or organization to do work in the area covered by this STP, that company or organization can not be on the STP also. A consultant must declare to UL when they are representing the interests of another company. This information may be added to the members roster information (see 2.2.4.2). A member who consults for multiple organizations of exclusively the same classification shall be classified in accordance with their principal business activity. A member who consults for a variety of interests shall be classified as a General Interest participant.

On occasion, however, independent consultants in this category may be retained by a client to advocate on behalf of the client with regard to a specific issue or issues before the STP. As to these specific issues, the independent consultant shall not be regarded as a General Interest participant because to do so may result in a balance of interests that was

not intended. Therefore, the consultant shall abstain from voting on any proposal, comment or other matter relating to those issues for which they are being retained.

**2.2.3 Multiple Representation** - Normally there can be only one official voting member from a company/organization on an STP. This also applies to consultants for a company. However there are instances where two or more representatives with the same parent organization may serve as voting members of the same STP.

- a) One division of a company produces an end product, while another division produces a component used in the end-product. In this case, one is a Producer and the other is Supply Chain.
- b) Smaller companies with the same parent company if the individual company brand names and organizational structures remain in place and companies' brands compete against each other in the marketplace.
- c) Different divisions within a company that make different products that compete with each other in the marketplace.

Any organization requesting multiple representation shall provide a written request to the STP Project Manager stating the compelling reason why such representation is needed. The Chair shall review the justification and render a decision. The Chair may deny membership if there is reason to believe the applicant does not meet the intent of the requirements for membership.

**2.2.4 Qualifications for Membership** - Qualification for Membership is based on all the information available to the UL Standards Department Staff, including the information provided in the candidate's Application as specified in 2.2.4.2. Membership is on an individual basis rather than company-based. Request for a company replacement of a member shall be considered by the STP Chair when reviewing the request for membership and does not guarantee acceptance.

**2.2.4.1 Application Process** - Information to be included in a candidate's Application for Membership and how UL is to review and act on this information is specified in 2.2.4.2 and 2.2.4.3.

**2.2.4.2 Applications for Membership** - Each candidate for membership shall submit an application to the STP Project Manager providing the following information:

- a) Evidence of knowledge and competence in the work of the STP,
- b) Assurance of ability to participate actively, including responding to correspondence, reviewing proposals, commenting on proposals (as appropriate), and voting on proposals,
- c) Relationship of applicant to the Scope of the STP,

- d) What organization, company, representation, etc., the applicant would represent,
- e) Whether the applicant would have an instructed vote and, if so, by and on behalf of whom; and whether the organization, in instructing its representative, can meet the time constraints imposed by the Regulations,
- f) What person or organization would fund participation. This information is mandatory for consultants,
- g) Agreement to notify the STP Project Manager of a change in employment, organization represented, or funding source. This will require a new application to be completed,
- h) What organizations or companies that are members on the STP does the consultant represent, and
- i) What types of customers an applicant that is a consultant has in their job history.

The STP Project Manager shall review applications with the STP Chair for approval (2.1.3.1)

**2.2.4.3 Action on Applications for Membership** - The STP Chair may appoint a member, hold the application pending further information, reject an application, or take such other action as it deems necessary. Appointment shall be based on:

- a) Qualifications of the applicant under the provisions of 2.2.4,
- b) Limiting the size of each STP to a manageable working group depending on the nature of the standard, and
- c) Maintaining a balance of interests within the membership. If any individual or organization has applied for and has been denied membership, the individual or organization may appeal to the Chair, then if still not satisfied, they may file an appeal with UL's Appeals Panel for purposes of reconsideration.

**2.2.5 Balance of Interests** - Normally, balance is considered achieved if no single interest category constitutes more than a third of the membership of the STP. However if the desired balance cannot be achieved despite reasonable attempts to recruit a more balanced membership, then the efforts shall be documented by the STP Project Manager and the STP can proceed to function as the consensus body, while efforts to recruit new members continue. In no case shall an STP be formed with more than 50 percent of the membership on the STP in one interest category. If an STP member resigns after an STP is formed and that resignation causes one interest category to have more than 50 percent

of the membership, then immediate action shall be taken to recruit needed interest categories to bring the STP within the balance range. If an interest category is over the one-third of the total membership target, UL reserves the right to deny additional membership to that membership category.

## **2.3 Powers and Duties of Standards Technical Panels**

### **2.3.1 General Responsibilities**

**2.3.1.1 Scope of Work** - The work of each STP shall be:

- a) In accordance with the Scope as approved by UL,
- b) In accordance with any guidelines subsequently issued by UL,
- c) Consonant with the mission of UL, and
- d) In accordance with the Code of Ethics policy of UL.

**2.3.1.2 Activity Within Scope** - Consonant with the publishing Guidelines of UL, each STP shall:

- a) Prepare and/or process proposed Standards,
- b) Prepare and/or process Proposals and Comments to amend or reaffirm existing Standards, and
- c) Prepare and/or process proposed Provisional ANSI/UL requirements.

**2.3.2 Meetings** – Though it is not necessary for STPs to meet for business to be conducted, Chairs may call meetings at such times as may be necessary and convenient for the transaction of business. Before issuing a call for such a meeting, the Chair may consult with others as necessary to be apprised of other meetings or other scheduled events that may affect attendance at the proposed meeting. Special meetings called for the purpose of handling items of an emergency nature shall not be subject to the above scheduling constraints. In addition, STP members may request a meeting for the purposes of comment resolution or other standards related issues.

**2.3.2.1 Meeting Notices** - Notice of each meeting shall be sent to the STP Members through CSDS. A general STP meeting notice will be posted on the UL CSDS website.

**2.3.2.2 Distribution of Agenda to STP Members** – Normally, the Project Manager should post in CSDS an appropriate agenda at least four weeks in advance of the meeting date. In cases where including the supporting material would delay the release of the

agenda within the four week timeframe, then the supporting material may be posted in CSDS separately in advance of the meeting date.

**2.3.2.3 Types of Meetings** - The preferred manner to hold meetings shall be with all participants at the same physical location. Any cost burden for attendance and participation are the responsibility of the STP Member or guest unless special arrangements are made with UL.

**2.3.3 Transaction of Business** - The transaction of business at STP meetings shall be governed in order of precedence, first by these Regulations and second by any applicable UL Supplemental Guidelines.

**2.3.3.1 Conduct of Meeting** - Official voting is conducted by electronic ballot through CSDS. At the Chair's discretion, certain "unofficial" voting may be conducted at meetings to resolve differences in competing proposals, provide direction, or for comment resolution to be followed up by a letter ballot to all STP members.

**2.3.3.2 Attendance** - STP meetings for standards related issues are open to those materially affected by the proposals being discussed; however Task Group meetings are not required to be open. Permission for non-members to attend an STP meeting must be requested via UL CSDS in advance of the meeting. The Chair reviews the attendance requests.

**2.3.3.3 Participation** – The following guidelines apply to participation at STP meetings:

a) Participation shall be limited to Members, except that the request of a guest to address the STP on a subject relevant to a specific item under consideration may be honored by the Chair. A Request for a Guest to attend an STP meeting is to be made via UL CSDS in advance of the meeting. When a guest addresses the STP, equal opportunity shall be afforded those with opposing views. The Chair may designate the time allotted for any such addresses.

b) If a Member cannot attend, a designated representative from the same organization (i.e. a substitute) may be sent to express the views of the absent Member. The representative shall not be privileged to vote or make motions. Identification of a substitute to attend a meeting in place of an STP member is to be made via UL CSDS in advance of the meeting. The designated representative shall be identified to the Chair in advance of the start of the meeting.

e) If attendance by a Member is not possible, written commentary may be submitted in advance of the meeting.

f) Videos, slides, overheads, and similar visual aids may be allowed during meetings of STPs and Task Groups. The review of samples of nonhazardous products and materials may be allowed.

e) Physical demonstrations, experiments, or simulations may be allowed during meetings of STPs or Task Groups at the Chair's discretion.

f) UL may provide funding to STP members who are consumers, Authorities Having Jurisdiction, academia, or representatives of government agencies to attend a meeting if requested to do so.

**2.3.3.4 Meeting Report** – A report of each meeting shall be issued without undue delay by the Project Manager, or a duly appointed individual acting at the direction of the Chair or Project Manager. No other report shall be authorized. The report shall, at a minimum, include the time and place of meetings, names and affiliations of all persons attending, and the actions taken. STP and Task Group meetings shall not be recorded verbatim by any means unless authorized in advance by the Chair and announced before the start of the meeting. If the request is approved, UL will make the recording and the requester will be asked to compensate UL for the associated costs. The original recording will remain the property of UL.

**2.3.4 Voting Procedures and Privileges** - Each voting Member shall have one vote in the affairs of the STP on which the Member serves.

**2.3.4.1 Voting by Proxy** - Voting by proxy shall not be permitted.

**2.3.4.2 Voting at Meetings and Ballots**

a) **Voting at Meetings** – As described in 2.3.3.1, certain actions decided during STP meetings, at the discretion of the Chair, shall be supported by at least a simple majority of the voting members at the meeting. In calculating the vote, those who abstain shall be omitted from the calculations. Voting in meetings is to establish a sense of agreement, but only the results of ballots shall be used to determine consensus.

b) **Ballots** - Consensus votes of Members shall be secured by electronic ballot in CSDS.

**2.3.4.4 How Members May Vote on Ballots** - Voting options on a ballot to the proposals under consideration are Affirmative, Negative, or Abstain. Only voting STP members can submit an official ballot. Non-voting members may submit comments on the proposal.

a) **Affirmative Votes with Comments** - If comments accompany an affirmative vote, the vote is considered affirmative regardless of the content of the comments. The affirmative with comments will be recirculated if there is any negative vote or any substantive change. If the voter intends to submit a "conditional" affirmative, meaning that the vote is affirmative only if the accompanying comment is accepted, then the vote should be submitted as a negative vote.

b) **Negative Votes** - In order to receive consideration, all negative votes must be accompanied by an explanation which should clearly explain the member's technical reasons for objecting to the proposal. Where possible, recommendations for a solution to the problem raised should be included in the explanation of the vote.

c) **Negative Votes Without Comments (or comments not related to the proposal)** - While this is not an option, a negative ballot not accompanied by supporting written reasons, will be recorded as a "negative without comment" and is not required to be responded to, recirculated to the STP, or notified of right to appeal. This also applies to negatives with comments not related to the proposal under consideration and negatives with comments on certification issues (see 3.3.6). These types of negative votes shall not be factored into the numerical requirements for consensus (in other words, will be treated similar to abstentions in the numerical calculation of consensus).

d) **Abstain Votes** - An abstain vote should be accompanied by an explanation for abstention. There will be no right to appeal given for abstained votes and any associated comments will not be responded to or recirculated to the STP. Consistent abstention voting shall cause the Chair to review the membership status of the Member and may be cause for removal per 2.1.3.1.

**2.3.4.5 Eligibility to Vote on Ballots** - A Member eligible to vote is generally the Member of record as of the date of the ballot. However, new Members may be added to the STP and will be permitted to vote on the item out for ballot if the Member is added before the halfway point of the original ballot period, and agrees to vote within the time constraints of, the ballot period. Members added after the halfway point of a ballot period will not have voting privileges during this ballot cycle, but will have the ability to comment.

**2.3.4.6 Member Resignation During Balloting Period** - If, during the balloting period, UL is notified in writing that an STP member is resigning from the STP and the member has not voted on the balloted item, the STP member shall be removed from the consensus body and will not be included in the numerical calculation of consensus. This also applies if resignation occurs during a ballot extension that was granted equally to all unreturned voters. If a member votes negative and then resigns from the STP before comment resolution and recirculation is completed without reaffirming or changing their vote, the vote will be considered as a negative without comment. An affirmative vote will stand as recorded. Member resignation during a ballot period that causes an imbalance in the STP will not stop the consensus process from proceeding.

**2.3.4.7 Consensus** – Consensus, calculated in accordance with 2.3.4.4, 2.3.4.5 and 2.3.4.6, is considered achieved if there is approval by at least two-thirds of those members voting who have submitted a vote, excluding abstentions, negatives without comment, and negatives based on material not under consideration (see 3.3.6) and a majority of the STP have returned a ballot.

a) If it is determined that consensus was achieved on a proposal, then the proposal continues through the standards development process.

b) If it is determined that consensus is not achieved on the initial ballot of a proposal and there is not greater than 50% approval from those members voting, excluding abstentions then the proposal is considered as failing and no further action shall be taken by the STP or UL Standards Department. However if the initial ballot does not achieve consensus but there is a return of the majority of the ballots and approval of greater than 50% of those members voting, excluding abstentions, then comment resolution and recirculation shall continue, with concurrence from the proposal submitter. If under the latter circumstances the proposal submitter agrees to withdraw the proposal, no further action shall be taken by the STP or UL Standards Department.

c) The results of the ballot shall be reported to the STP in the form of number of yes, no, and abstention votes at the conclusion of the consensus process. This information shall also be available during the process (see 3.4.7).

## **3 Development and Revision of ANSI/UL Standards**

### **3.1 Submission of Proposals**

**3.1.1 General** - Most standards covered under this accreditation are maintained using continuous maintenance. This means that any part of the standard is open for comment or proposals at any time and by anyone, within the constraints of any established revision cycle. Notice that the standard is open for comment shall be printed on the title page of the standard and shall be listed on the ANSI and UL websites. Any properly submitted proposals shall be considered and acted upon as described in 3.3.1.

**3.1.2 Revision Cycles** – After consulting with the STP and other stakeholders, the Chair has the option to place an ANSI/UL Standard on a revision cycle. If an ANSI/UL Standard is placed on a revision cycle, the standard shall not be revised outside of that cycle unless there is an emergency issue, or other circumstance approved by the Vice President of Standards.

The revision cycle schedule shall include final dates for all critical events in a processing cycle. The cycle and schedule shall be distributed to the STP and shall be posted on the UL Standards website.

**3.1.3 Maintenance of ANSI Approval** - Standards shall be revised or reaffirmed every five years. If there is no BSR 108 within 5 years of the latest approval, the ANSI approval shall be withdrawn. Under special circumstances and when approved by the Chair, a request for an extension of time may be submitted to ANSI up to a maximum of ten years from the latest approval date at which time the standard will be maintained

under “periodic maintenance”. If the standard is then not revised or reaffirmed within the 10-year period, ANSI approval shall be withdrawn.

**3.1.4 Format of Submitted Proposal** - Each proposal shall be submitted in electronic format using the Proposal Request function as found on the UL CSDS website and shall include the following:

- a) Identification of the submitter and his or her affiliation (i.e., STP, organization, company), where appropriate,
- b) Identification of the Standard and paragraph of the Standard to which the Proposal is directed,
- c) Proposed text of the Proposal, including the wording to be added, revised (and how revised), or deleted, and
- d) Statement of the problem and substantiation for Proposal (rationale).

If a submitted proposed addition or revision is not fully developed (i.e. specific text not included, rationale/justification missing, or other problem areas), the Chair may direct the Project Manager to return the proposal to the originator for further development. UL retains the right to edit the proposal as necessary to comply with its format and style guidelines.

**3.1.5 Time for Submission of Proposals** – A proposal received after an established cut-off date will be held until the next cycle and the submitter will be so notified.

## **3.2 Initiation of a New Standards Activity**

**3.2.1 Initiation** - Any person, organization, or existing STP can request UL to develop a new standard of proper concern to UL. Submittals shall include a statement of the matter, substantiation of the need to address the matter, a precise description of the topic(s) to be addressed, and clarification that the matter is not already addressed by an existing UL, or other ANSI, Standard. UL reserves the right to not develop a new standard if, in the exercise of its judgment, the publication of the proposed new standard would pose an overriding safety or legal risk for UL, or if there is not sufficient justification of the need for such a standard. That decision is to be made after consultation with the Public Safety Officer and the General Counsel. If the decision is made to not process a request for a new standard, UL will respond to the request with a letter that explains the safety, legal reason, or other reason for not processing the proposal. Such a decision is not appealable to UL.

**3.2.2 Project Initiation Notification System (PINS)** - A PINS shall be posted in ANSI Standards Action for first-time approval of a standard. Standards that are listed by ANSI as being maintained under continuous maintenance do not need to have a PINS submitted when the standard is being revised. If written comments are received within 30 calendar

days of the PINS announcement that claim that the standard duplicates or conflicts with an existing or candidate ANSI standard that a PINS had previously been issued for, then a mandatory deliberation between UL and the commenter shall be held within 90 calendar days to discuss the need for the standard. If the deliberation does not take place within the 90-day period, though effort has been made to schedule the deliberation, then the ANSI process may continue.

### **3.3 Proposal Stage**

**3.3.1 Handling of Proposals** – All proposals submitted in accordance with 3.1 shall be reviewed by the Chair and processed in accordance with the following options (1) send the proposal out for preliminary review, (2) send the proposal out for ballot, (3) assign to a task group or submitter for further development, (4) send the proposal back to the submitter, or (5) hold for discussion at a meeting. The Chair also may add his/her comments to the proposal being sent out for preliminary review or ballot.

**3.3.2 Document for Preliminary Review** – If the Chair decides to send the proposals for preliminary review prior to formal balloting to determine the level of support for a proposal or to sort out competing proposals then the results will be evaluated by the Chair to determine the next step in accordance with 3.3.1.

**3.3.2.1 Preliminary Review Comment Period** - Proposals sent out for preliminary review will have a notice with the comment period specified, generally a minimum of two weeks following the publication or posting of the document. Comments must be submitted via UL CSDS by the comment deadline. Comments are collected and forwarded to the Chair to determine the appropriate course of action (usually forwarded to the proposal submitter for consideration). The preliminary review comments will not receive responses.

**3.3.3 Public Review** - All proposals that are for balloting (including substantive changes resulting from an STP ballot or public review) shall be subjected to a public review before approval. The public review shall be announced in ANSI's Standards Action and also include subscribers to UL's Standards Service for the involved Standard. All comments received as a result of public review are handled in the same manner as comments attached to ballots. They will be addressed, circulated if a continuing objection and given the right to appeal. Extension requests from public review participants will not normally be granted, except under special circumstances as approved by the STP Chair.

**3.3.3.1 Timing** - The public review is usually conducted concurrently with the STP ballot but it may be conducted before or after the STP ballot. If the STP is balloted before public review and the proposal does not achieve consensus, then public review need not be conducted. The amount of time given for public review shall be in accordance with ANSI procedures. Comments received after the closing date shall be handled as a new proposal and shall be considered at the next standards activity.

**3.3.4 STP Consideration of Proposals Prior to Official Balloting** - In cases where the Chair determines that proposals need to be discussed prior to the official balloting, the Chair may call an STP Meeting or handle in accordance with 3.3.2. The following approach shall be used for voting on the disposition of proposals at the STP meeting when the Chair deems voting is necessary. This approach shall also be used when there are competing proposals on the same topic.

The Project Manager shall post the agenda in CSDS which would include the proposals, and the STP shall be notified that the agenda is available for downloading. During the meeting, the proposals will be discussed and a preliminary disposition of the proposal will be determined. This will allow decisions to be made such as eliminating competing proposals and sorting out proposals that have no support from those that should be balloted. The vote at the meeting should be for the following:

- a) Accept the proposal as presented,
- b) Accept the proposal with changes, or
- c) Reject the proposal.

Acceptance of the recommended STP action requires an affirmative vote of a majority of those STP members in attendance.

To follow up with the official ballot of the recommended STP action, a proposal review work area in CSDS (1.3) would be generated. This proposal review work area would be comprised of the proposals and the recommendation of the STP from the meeting as to whether to accept, accept with changes, or reject a proposal, with the justification for each action, as well as a ballot. In this situation, the STP is not voting on the merit of each proposal (that was already done at the meeting) but they are casting their ballot as to whether or not they agree with the proposed action.

All submitters of proposals to be considered at the STP meeting will be invited to the meeting. In addition they will be copied on the proposal review work area.

**3.3.4.1 Proposals Presented at Meetings** – Any proposal submitted at a meeting, when the Chair asks if there are any additional agenda items, can be discussed, time permitting. Any proposals submitted after that can be considered, contingent on approval for discussion and action by at least a majority of those at the meeting and time permitting. If a proposal submitted at a meeting is not approved for discussion, it will be considered as a new submittal and handled at the next revision project. It does not need to be balloted with the material discussed at the meeting.

**3.3.5 Balloting on Proposals** – Consensus on the recommended STP action shall be reached by ballot of the STP.

**3.3.5.1 Ballot Period** - The minimum ballot period for a consensus vote is 30 calendar days. The ballot period may close earlier if all ballots have been returned. Normally a follow-up to non-respondents is issued prior to the ballot closing date. The ballot period may be longer for complicated proposals or review of a full standard.

**3.3.5.2 Ballot Period Extension**- At the end of the ballot period if sufficient votes are not returned to achieve consensus, the ballot period can be extended to allow for additional ballots to be returned. This extension shall not be more than 15 calendar days. In addition, STP Members may request a ballot period extension before the close of the ballot period.

**3.3.6 Subjects Appropriate for Comment**- Comments shall be confined to proposals under consideration for action. The Chair has the discretion to determine if a comment is appropriate to the proposal.

a) Any comments not related to the proposal being balloted are considered non-germane. The submitter will be notified of this action and asked to submit the comment as a new proposal via the proposal request form in CSDS. These ballots will not be circulated to the STP unless there are germane comments also accompanying the ballot, then only the germane portion of the comments will be circulated.

b) Any comments on certification issues, including effective dates, related to the proposals under consideration are considered non-germane and outside the scope of the ANSI accredited process. These comments will be addressed and responded to but will not be recirculated to the STP unless there are germane comments also accompanying the ballot, then only the germane portion of the comments will be circulated. The commenter will not be notified of the right to appeal. Examples of certification issues are issues that relate to conformity assessment services, such as comments on effective dates, file reviews, or Listing or Follow-Up Services.

c) Any negative ballot submitted that does not have accompanying comments will be considered as a “negative without comments” without further notice to the voter. These ballots will not be circulated.

d) If the comments that accompany a negative ballot are considered non-germane (as defined in items a and b), the ballot will be considered as a “negative without comments.”

The ballot instructions shall reflect how these issues will be handled.

**3.3.7 Content of Comments** - Each comment shall include the following:

a) Identification of the submitter and his or her affiliation (i.e., STP, organization, company),

- b) Identification of the Document and paragraph of the Document and the proposal to which the Comment is directed, and
- c) Statement of the position with respect to the proposal and the substantiation of that position.

A Comment that does not include all of the required information listed above may be considered incomplete and will not be considered by the STP.

### **3.4 STP Consideration of Comments Received During the Ballot Stage**

**3.4.1 Responses** – All timely comments, other than those accompanying abstentions, received on the proposals under consideration, whether accompanying an STP member's ballot or from a public review participant, shall receive a written response (including electronic communication) indicating what action will be taken on the commenter's concerns. If a comment is not accepted, a reason shall be given. The response will be posted in CSDS and is viewable to the STP and any public review participant.

**3.4.2 Drafting Responses** – At the Chair's discretion, comment resolution shall be handled one of three ways: (1) recorded by the STP Project Manager as a result of discussion by the STP, (2) assigned to a task group, or (3) assigned to the submitter of the proposal under consideration. If the comment responses are not drafted within the timeframe given by the Chair, then the proposal is considered withdrawn.

**3.4.3 Comment Resolution at Meetings** - Before holding an STP meeting for comment resolution, the ballot results and comments, including public and subscriber review, shall be made available. Proposal submitters and public review participants who have submitted a comment shall also be invited to attend the meeting. At the meeting, the comments are discussed and an agreement reached on the disposition and any substantive changes. There are no quorum requirements for this type of meeting. The proposed resolution is handled like any other recirculation (see 3.4.7).

**3.4.4 Guidelines for Action on Comments** - The guidelines in 3.4.5 apply when determining action on each Comment. Action on each Comment shall be taken provided the Comment is relevant to the proposal and meets the provisions of 3.3.6.

**3.4.5 Actions on Comments** – One of the following actions as described below shall be taken on each Comment:

- a) Accepting the Comment,
- b) Rejecting the Comment,
- c) Accepting the Comment in principle but with changes in the proposed wording,

- d) Accepting the Comment in part,
- e) Accepting the Comment in principle and in part,
- e) Acknowledging the comment (when the commenter agrees with the proposal),  
or
- g) Answering the comment (when the comment poses a question, but doesn't  
advocate a particular technical revision).

The action on Comments “accepted in principle,” “accepted in part,” “accept in principle in part,” “rejected,” “acknowledged”, or “answered” shall include a statement, preferably technical in nature, on the reason for the action. Such statement shall be sufficiently detailed so as to convey the rationale for the action.

**3.4.6 Substantive Changes** – As a result of balloting and public review, changes may be made to the proposals under consideration. If the changes are editorial, no further balloting or public review is needed. If the changes are substantive, then the changes shall be recirculated to the STP in accordance with 3.4.7 and shall be posted in ANSI Standards Action for public review.

**3.4.7 Recirculation of Negative Votes, Negative Comments from Public Review Participants, and/or Substantive Changes** – The following guidelines reference to how to recirculate negative votes, negative comments from Public Review Participants and substantive changes.

**3.4.7.1** Comments accompanying negative votes and negative comments from public review participants, shall be reported to the STP for a minimum two week period if there are no substantive changes made to the proposals as a result of those comments, allowing the STP to read the comments, responses and reconsider their vote.

**3.4.7.2** Any substantive changes made to the proposal as a result of the comments described in 3.4.7.1 are recirculated to the STP and announced in ANSI Standards Action for a minimum four week period to provide the members with the opportunity to respond, reaffirm, or change their vote and for public review comment.

**3.4.7.3** The following information will be available:

- a) Number of Members eligible to vote
- b) Number voting in the affirmative
- c) Number voting in the negative
- d) Number voting in abstention

e) Number of Members who have not returned ballots.

**3.4.7.4** If a vote is changed to negative as a result of the recirculation activities described in 3.4.7.2 and 3.4.7.3, then a reason for the negative vote shall be provided. If a reason is not provided then the vote will be counted as negative without comment.

**3.4.7.5** If a voter does not respond to the recirculation activities described in 3.4.7.2 and 3.4.7.3 within the stated period, the original vote shall stand.

**3.4.7.6** If during the recirculation period (and public review period in the case of substantive changes to the proposal), additional comments are received, they should be handled as follows:

a) If from STP members, a response shall be issued to the comments but no further recirculation is needed nor additional notification of right to appeal. This also applies to a subscriber or public review participant who had previously commented.

b) If from public review participants who had not previously commented, the comment if it is germane to the substantive change shall be responded to and the comment shall be recirculated to the STP including the notification of right to appeal. If an STP member changes their vote to negative in this situation, no additional notification of right to appeal for the STP member is needed.

**3.4.7.7** At the end of the recirculation period(s), consensus as defined in 2.3.4.7 must be maintained for the Proposal Document to be approved. In addition, the STP must be notified whether the proposal has failed or has consensus and will be adopted and published in the standard.

**3.4.8 Segmenting Document for Consensus Balloting** – The decision to segment the Document (i.e., ballot or process the Document other than as a whole) shall be made by the Chair.

**3.4.9 Notice of Right to Appeal** – All those participants with continuing objections, shall be notified of their right to appeal. The notification of the right to appeal will normally be included in the recirculation documentation (but may also be included in other correspondence) and will notify the unresolved objectors that they have the right to appeal on procedural issues, direct them to the website/url where the appeals procedures are located, and provide a minimum response date of two weeks to file an appeal.

## **4 Handling of Provisional Requirements and Other Special Circumstances**

**4.1 Provisional Requirements** - When a situation arises that demands immediate attention, it may be necessary to take action before the full consensus process runs its course. This can be handled through the provisional standard procedure.

**4.1.1 Conditions** - The procedure for the issuance of Provisional American National Standard (ANS) requirements may be utilized when all three of the following circumstances exist:

- a) There are documented incidents of a risk of serious injury or death that warrants immediate action;
- b) When the use of UL's accredited procedures would cause an undue delay in the issuance of a related standard; and
- c) When UL supports the development of a Provisional ANS with the intention of initiating, during the next revision cycle after the approval date, the processing of the standard in accordance with UL's accredited procedures, including ANSI public review in Standards Action and consensus body ballot.

**4.1.1.1 Public notice and public review** - An announcement identifying the standard and describing the circumstances that warrant the issuance of a Provisional ANS shall be provided to ANSI in a timely manner for publication in *ANSI's Standards Action*. The requirements for public review do not apply under these circumstances.

**4.1 1.2 Minimum STP ballot period** - The ballot period shall not be less than two weeks.

**4.1.1.3 Consensus** – Consensus exists if 2/3 of the STP members voting, minus abstentions, vote in favor of the Provisional ANS.

**4.1.1.4 Comment resolution** - All comments received shall be circulated to the STP in order to afford all members an opportunity to respond, reaffirm, or change their vote. A minimum associated period of not less than one week is required. An attempt to resolve the comments received relative to the Provisional ANS is not required.

**4.1.1.5 Final Action on a Provisional ANS** – If consensus is not achieved on the need for a provisional ANSI requirement an oversight panel shall review the voting record, the STP recommendation, and all documentation of the safety issues involved and make the decision on whether to:

- a) Issue the proposed Provisional ANS as proposed,
- b) Reject the proposed Provisional ANS in accordance with the STP vote, or
- c) Return the proposed Provisional ANS to the STP for processing as a routine proposal.

The panel shall consist of members of the Appeals Panel, a UL staff person appointed by the Public Safety Officer, and a Consumer Advocate appointed by UL. A majority vote is

needed to override the STP vote and approve the issuance of a provisional ANSI requirement.

**4.1.1.6 Right to appeal** - The right to appeal shall not be required in connection with the issuance of a Provisional ANS. After the standard has been issued, if a directly and materially affected party believes that the Provisional ANS should be withdrawn, then the objector should apply the *Withdrawal for cause* procedures detailed in the *ANSI Essential Requirements*.

**4.1.1.7 Approval notification to ANSI** - Notice of the approval of a Provisional ANS by UL shall be submitted to ANSI within 5 calendar days of the approval of the document. The notice shall include the designation and title of the document, the approval date and a certification that UL has followed these procedures. An informational announcement shall be published in *Standards Action*.

**4.1.1.8 Processing the Provisional ANS as an American National Standard** - UL shall initiate the processing of the Provisional ANS as an ANS within 45 calendar days of its approval date (regardless of whether or not the Standard is on a revision cycle). This processing shall be in accordance with the UL's accredited procedures and shall include ANSI public review in *Standards Action* and consensus body ballot.

**4.1.1.9 Withdrawal** - A Provisional ANS shall exist for no longer than two years from the date on which it is approved. If consensus is achieved and the standard is published as an ANS, the Provisional ANS is superseded and shall be withdrawn. If consensus is not achieved, the Provisional ANS shall be withdrawn at that time, but no later than two years from the date on which it is approved as a Provisional ANS. A notice of the withdrawal shall be published in *ANSI's Standards Action*.

**4.1.1.10 Identification of document as a Provisional ANS** – The requirements promulgated in connection with these procedures shall be referred to as a Provisional American National Standard (or requirements). Included in the title page of the document shall be the following or similar text:

“The information contained in this document (or identify specific requirements) has been processed in accordance with UL's requirements for a Provisional American National Standard. The same or similar document will undergo the standards development process set forth in UL's accredited procedures. This Provisional ANS (requirement) shall be withdrawn on or before the two year anniversary date of its approval as such.”

The ANSI approval logo and the words “an American National Standard” shall not be used to identify any part of a standard that has not received ANSI approval. If a only a part of the standard has been processed using these provisional procedures, the wording specified above shall be inserted adjacent to the provisional requirements in the standard. If an entire Standard is processed as a Provisional American National Standard, it shall be identified by a unique alphanumeric designation in accordance with the following guidelines: ANSI/UL 123 (P), where 123 reflects the Standard number.

**4.2 Proposals with Legal or Safety Risks** - UL reserves the right to reject a proposal submitted for a standard if, in the exercise of UL's judgment, the publication of the proposed requirements would pose an overriding safety hazard or a legal risk for UL. That decision is to be made after consultation with the Public Safety Officer and the General Counsel. If the decision is made to reject a proposal, UL will respond to the request with a letter that explains the safety or legal reason for not processing the proposal. Such a decision is final (not appealable).

**4.3 Discontinuance of a Proposal** - For a proposal that is going through the consensus process and may have undergone balloting and public review, if UL determines that the proposal will present an overriding safety hazard or a legal risk, UL will cease processing the proposal and promptly notify the consensus body of the reasons for the action. If the proposal has already gone through public review, UL will post a notice in Standards Action that it is abandoning the proposal and that the readers should contact UL for more information on the reasons. Any written request received within sixty days of the action will be provided with the reason for abandoning the proposal. The decision by UL to abandon a proposal is final, but may be appealed to the ANSI Executive Standards Council based on procedural noncompliance.

## 5 Appeals

**5.0 General** - If there is an appeals request, publication of material will be put on hold until appeal is resolved.

**5.1 Filing an Appeal** - When notified that an objector wishes to appeal, the STP Project Manager will acknowledge the request generally within 5 working days. If the appellant provides all of the documentation to support the appeal, the Chair shall assign one or more STP members to develop the STP response to the appeal. If the appellant does not provide the necessary documentation, the Project Manager will contact the appellant and give three weeks to provide the necessary documentation. When the information is received, the rebuttal will be prepared by the person(s) designated by the Chair. If no additional documentation is received within the three week period, the comments associated with the objection will represent the appellant's final documentation.

**5.2 Appeals Panel** - A standing Appeals Panel representing a variety of interests exists to hear all appeals, with a majority in attendance to hear an appeal. The Appeals Panel will elect a member of the panel to act as the Appeals Panel Chair and Vice Chair. If neither the Chair of the Appeals Panel nor the Vice Chair of the Appeals Panel is in attendance at a scheduled hearing, then another person from the Appeals Panel will be named as a temporary Appeal Panel Chair. The appellant will be given the opportunity to claim a conflict of interest for any Appeals Panel member. The reason for the appellant's claim of conflict of interest and the involved Appeals Panel member's response will be reviewed by the Appeals Panel Chair for a decision on the merits of the claim. The composition of the Appeals Panel will attempt to reflect a broad range of interests. UL

staff shall not serve as a member of the Appeals Panel, but will act as recording Secretary.

**5.3 Types of Appeals** – There are two classifications of Appeals, administrative appeals and special circumstances appeals. Appeals will be heard only on those two types.

**5.3.1 Administrative Appeals** – Administrative appeals require approval of majority of the appeals panel at hearing. Administrative appeals are the following:

- a) Procedural issues – these are issues where it is believed the Approved Regulations were not followed.
- b) Membership issues – these are issues where the STP Chair has accepted or denied membership based on interest category classification of an application.

**5.3.2 Special Circumstances Appeals** – Special circumstances appeals require approval of two-thirds of the appeals panel at the hearing since these deal with overriding the decision of the STP. (Note that the circumstances described in 4.2 and 4.3 are not appealable to UL's Appeals Panel). Special circumstances appeals are the following:

- a) Safety issues – these are issues where there is overriding concern that publication or non-publication of the proposed requirements will result in a serious safety concern. Technical issues are not appealable.
- b) Code Conflict issues – these are issues where the STP has not approved a proposal causing the standard to be in conflict with an ANSI recognized installation code or the Code of Federal Regulations. Another issue is where the STP has approved a proposal which would cause conflict with an ANSI recognized installation code or the Code of Federal Regulations.

**5.4 Inappropriate Appeals** – If the Appeals Panel Chair deems a request for an appeal to be inappropriate because it is based on technical rather than procedural issues, code conflicts, membership issues, or safety issues or is based on issues not under consideration by the ballot (such as objections to other parts of the Standard or based on certification issues) or is otherwise without merit, the appeal may be dismissed without a hearing.

**5.4.1 Handling of Inappropriate Appeals** - If an objector does not agree with the Appeals Panel Chair's determination that an objection is non-germane or is technical in nature, the matter may be referred to the Appeals Panel to determine if the appeal shall be dismissed without a hearing. The Appeals Panel is also empowered to dismiss any appeal without a hearing if it determines that it is without merit.

**5.5 Conduct of Appeal** - A senior UL standards staff member not involved in the standard in dispute shall serve as recording secretary. If a face-to-face hearing is

scheduled, the location of the hearing will be selected by UL, taking into account the geographical location of the panel members. If the appellant(s) cannot attend the next scheduled appeals hearing, the hearing shall be conducted by teleconference on the scheduled date and if the appellant is not available for a teleconference, the appeal will be handled by correspondence on that date.

**5.5.1 Conduct of Hearing** - At the hearing, each side will be given 30 minutes (including rebuttal time) to present its case. Each side can have up to three speakers. Other observers may attend but will not be permitted to speak. The appellant presents first, followed by the STP or its representative (which may be a UL staff person). At the end of the presentation, the appellant may use whatever time is remaining to rebut UL. Following that, UL may use whatever time is remaining to rebut the appellant. Following the presentations and rebuttals, the Appeals Panel is free to ask questions of both parties. Both parties shall limit their replies to just answering the questions.

**5.5.2 Decision** - After the question and answer period, both parties shall be informed that a written decision will be issued, normally within 30 calendar days. The Appeals Panel will then go into executive session. A majority vote of the Appeals Panel is required to accept or deny an administrative appeal and two-thirds vote of the Appeals Panel is required to accept or deny a special circumstances appeal.

The recording secretary will record the decision of the Appeals Panel, including whether to accept or deny the appeal, the reasons for the decision, any corrective actions that need to be taken, etc. The decision will be reviewed by the Appeals Panel Chair and by the Vice President of Standards and/or Legal Counsel before it is sent to all involved parties. The Appeals Panel decision is binding and final on all concerned.

## **6 Development and Revision of Co-Published Standards**

**6.1 Commitment to Co-Publication with Other Organizations** – UL is committed to harmonization of requirements and co-publication of certain standards with other SDOs when in the interest of the involved parties.

**6.2 Harmonization Committee** – For harmonization efforts, a harmonization committee or other coordinating body exists to make recommendations on the technical content of the requirements, including reviewing submitted proposals and comment resolution, to the involved SDOs. Those proposals or proposed comment dispositions are then balloted through the STP. Note that it may be necessary for an SDO to work with the Harmonization Committee to improve or revise the proposals or proposed comment dispositions before sharing them with the STP. UL has the right to forward a proposal not accepted by the Harmonization Committee to the STP for comment or ballot.

## **7 Administrative Issues**

**7.1 ANSI/UL Standards Patent Policy** - The following is UL's patent policy for ANSI/UL Standards.

**7.1.1 Inclusion of Patents in ANSI/UL Standards** - There is no objection in principle to drafting a proposed ANSI/UL Standard in terms that include the use of an essential patented claim (one whose use would be required for compliance with that standard) if it is considered that technical reasons justify this approach.

**7.1.1.1 Timely Notification to UL and ANSI** – When a proposal author is aware that a patent exists, or has been applied for, that pertains to the proposal they are submitting (whether the patent application was made by the proposal author, his/her organization, or other parties), the author is to notify UL (UL will include that notification in its submission to ANSI regarding its submission to ANSI regarding the Standard(s) in question) that their proposal may require the use of a patented claim, and, the procedures in 7.1.2 – 7.1.4 shall be followed. Alternatively, if a STP member or individual or entity commenting on a standards proposal believes that a proposal contains an essential patented claim, that STP member, individual or entity should notify UL of the possible existence of the essential patented claim. UL does not have any duty to investigate such claim of essentiality. UL's only duty is to bring the claim of essentiality to the attention of the voting members of the STP and to request a patent statement consistent with section 7.1.2 of this policy from the patent holder.

**7.1.2 Statement from patent holder** - UL and ANSI shall receive from the patent holder or a party authorized to make assurances on its behalf, in written or electronic form, either:

- a) a general disclaimer to the effect that such party does not hold and does not currently intend holding any invention the use of which would be required for compliance with the proposed American National Standard or
- b) a statement that a license to such essential patent claim(s) will be made available to applicants desiring to utilize the license for the purpose of implementing the standard either:
  1. without compensation and under reasonable terms and conditions that are demonstrably free of any unfair discrimination or
  2. under reasonable terms and conditions that are demonstrably free of any unfair discrimination.

**7.1.3 Record of statement** - A record of the patent holder's statement shall be placed and retained in the files of UL and ANSI.

**7.1.4 Notice** - When UL and ANSI receive from a patent holder the assurance set forth in 7.1.2 (b), the standard shall include a note substantially as follows:

NOTE - The user's attention is called to the possibility that compliance with this standard may require use of an invention covered by patent rights.

By publication of this standard, no position is taken with respect to the validity of this claim or of any patent rights in connection there with. The patent holder has, however, filed a statement of willingness to grant a license under these rights on reasonable and nondiscriminatory terms and conditions to applicants desiring to obtain such a license. Details may be obtained from UL.

**7.1.5 Responsibility for identifying patents** - UL and ANSI shall not be responsible for identifying all patents for which a license may be required by a ANSI/UL Standard or for conducting inquiries into the legal validity or scope of those patents that are brought to its attention.

**7.2 Commercial Terms and Conditions** - UL shall comply with the ANSI policy on commercial terms and conditions.

**7.3 Record Retention** - Records shall be prepared and maintained to provide evidence of compliance with these procedures. Records concerning actions on ANSI/UL Standards, or a part(s) of an ANSI/UL Standard, maintained under the continuous maintenance option shall be retained for a minimum of five (5) years or until approval of the subsequent revision or reaffirmation of the complete standard.

Records concerning withdrawals of all ANSI/UL Standards shall be retained for a minimum of five (5) years from the date of withdrawal.

**7.4 Interpretation Policy** - UL's Standards Organization does not issue formal standards interpretations.

**7.5 Withdrawal of Approval** - If UL decides to withdraw ANSI approval of a Standard or revision for whatever reason, it shall so inform the STP and active Task Groups for that standard and provide the reason. UL will also announce the withdrawal in ANSI Standards Action. The decision by UL to withdraw approval is not appealable to UL.

**7.6 Editorial Changes** – Editorial/non-substantive changes may be made at any time without a requirement for ballot.

**7.7 Availability of STP Materials to the Public** - Agendas and supporting materials, including comments and proposals and any other materials distributed to the members for consideration by the STP, shall be made available upon reasonable request in writing to interested members of the public. In order to ensure availability of such materials for use at an STP meeting, requests in writing must be received by the

STP Project Manager at least 21 calendar days in advance of the meeting. Reasonable fees and terms of payment may be set for such materials.