



<b>SOP TITLE</b>	<b>Voting Rules for TNI Committees</b>
<b>SOP NO.</b>	<b>1-102</b>
<b>REVISION NO</b>	<b>2.2</b>
<b>PROGRAM</b>	<b>Administration</b>

**SOP Approval Dates**

	<b>Initial Approval</b>	<b>Last Revision</b>	<b>Last Review</b>
<b>Committee: Policy</b>	11/19/2007	2/2/2024	
<b>Program:</b>	NA	NA	
<b>Policy Committee Review</b>	NA	NA	
<b>TNI Board of Directors Endorsement</b>	12/12/2007	3/13/2024	
<b>SOP Effective Date</b>	1/31/2008	2/2/2024	

## 1.0 Purpose and Applicability

This Standard Operating Procedure (SOP) specifies requirements for voting and for documenting votes made by TNI committees. The SOP applies to all TNI committees. This SOP also applies to the TNI Board of Directors and the National Environmental Laboratory Accreditation Program (NELAP) Accreditation Council (AC), which are also considered to be committees.

For the purposes of this SOP, references to Committee members also includes Directors (TNI Board of Directors) or Accrediting Body (AB) Representatives (NELAP Accreditation Council).

## 2.0 Summary

This SOP describes voting processes and the requirements for Simple Majority and Super Majority voting along with special rules applicable to specific committees.

## 3.0 Related Documents

POL 1-100: Creating or Revising General Policies and Procedures in TNI  
 SOP 1-101: Operations of TNI Committees  
 SOP 2-100: Procedures Governing Standards Development  
 SOP 2-101: Procedures for Expert Committee Operations  
 SOP 3-102: Evaluation of NELAP Accreditation Bodies  
 SOP 4-107: Management of Fields of Proficiency Testing (FoPT) Tables  
 SOP 7-100: Evaluation of Non-Governmental Accreditation Bodies (NGABs) Accrediting Environmental Laboratories  
 SOP 7-101: Evaluation of Accreditation Bodies Accrediting PT Providers and Field Sampling and Measurement Organizations  
 Robert's Rules of Order Newly Revised, 12<sup>th</sup> Edition

## 4.0 Definitions

Term	Definition
<b>Abstain</b>	A term in election procedure for when a participant in a vote is present during the vote, but does not cast a ballot. NOTE: "Abstain" effectively reduces the number of voting members by one for each abstention.
<b>Meeting</b>	A physical gathering, virtual meeting, conference call, or other electronic means that allows for free, timely exchange of ideas.
<b>Motions of General Business</b>	Motions such as approval of minutes, workplans, agendas, and the scheduling or adjournment of meetings.
<b>Motions on Matters of Laboratory Accreditation</b>	All motions from the NELAP AC that are not general business. NOTE: Examples of matters pertaining to laboratory accreditation include, but are not limited to, the handling of SIRs and adoption of standards.
<b>Quorum</b>	The minimum number of committee members (by definition > 50%) that need to be present to make a vote valid.
<b>Roll Call Vote</b>	A vote where each individual's vote is recorded.
<b>Simple Majority</b>	A vote where greater than 50% of committee members voting must vote "for" in order to pass a motion.
<b>Super Majority</b>	A vote where a minimum of two thirds of the votes cast must vote "for" in order to pass the motion.

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<b>Standards Interpretation Request (SIR)</b>	The submission of a request for an interpretation of how a standard applies to a particular situation.
<b>Tally</b>	A summary of votes cast “for” or “against” along with the number of abstentions.
<b>Unanimous Consent</b>	A parliamentary procedure used to expedite business where consensus is likely, thus eliminating the need for a formal vote. NOTE: A Committee Chair in using this process states “If there is no objection, the motion will be adopted. [pause] Since there is no objection, the motion is adopted.”
<b>Voting Responses</b>	
– For (or Yeah)	Signifies acceptance of the matter in question.
– Against (or Nay)	Signifies opposition to the matter in question.
– Veto	A special type of negative vote, applicable only to the NELAP AC, cast when an element of the motion at hand would preclude implementation by a state agency because of existing statutory or regulatory requirements that could not be appropriately changed before the motion, if passed, would be implemented.
– Needs Discussion	A special type of vote, applicable only to the NELAP AC and to SIRs, indicating that the AC representative desires to participate in conversation about aspects of an SIR prior to voting.  NOTE: Any SIR with this vote must be brought to an AC meeting for discussion prior to final vote.
– Not voting at this time	A special type of vote, applicable only to the NELAP AC and to SIRs, indicating that the AC representative has reviewed the SIR, but does not plan to vote, thus notifying other AB representatives of this decision.

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## 5.0 Voting Process

### 5.1 General

- 5.1.1 In general, participation as a Voting Member on any TNI committee is based on the education and experience of the individual, and not the organization the member represents. However, state representatives and alternates on the NELAP AC do represent their agency. With the exception of designated alternate representatives on the NELAP AC, no person may participate as a substitute for a Voting Member unable to attend a meeting. Proxy votes are not allowed.
- 5.1.2 Committees must document the votes they make in meeting minutes. When votes are made, the motion, the originator, and the member seconding the motion must be clearly stated in the minutes.
- 5.1.3 An abstention is not the same as an “against” vote. If an abstention occurs, the total number of votes that are capable of being cast decreases by the number of abstentions that were cast.
- 5.1.4 All motions for subcommittees must follow the same voting rules as followed by their parent Committee, except for Super Majority votes.
- 5.1.5 A committee may use the unanimous consent process for any item where no one objects, except for NELAP AC matters of laboratory accreditation.
- 5.1.6 A person must abstain from voting if there is a conflict of interest.

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- 5.1.7 A committee member may cast votes by voice during a meeting of the committee. At the discretion of the committee, members who are absent during the meeting in which a vote is made have up to two weeks to place a vote.
- 5.1.8 Committees may use varying voting requirements to approve new members, based on the number of openings, the number of applicants, and the stakeholder groups represented. The process that the committee uses to add committee member(s) must be stated prior to the vote occurring.
- 5.1.9 Discussion of agenda topics may occur if at least 3 voting members are present, and the Chair approves the committee's agenda by unanimous consent. Edits to documents made during this discussion can only be approved by a vote of the committee as discussed in sections 5.2 and 5.3.

## 5.2 Simple Majority Vote

Decisions made on the following topics must be approved if a simple majority of votes cast are in favor of the motion:

- Approval of minutes;
- Adoption or change of agendas;
- Adoption or change of charters;
- SOPs, except those related to Consensus Standard Development, Accreditation Body (AB), Non-Governmental AB (NGAB), or Proficiency Test Provider Accreditor (PTPA) recognition;
- Initiate votes;
- Other general Committee business; or
- Adjourn meetings.

### 5.2.1 Eligibility

Each Committee member present must cast one vote, or abstain from voting, on any motion submitted for a vote.

### 5.2.2 Simple Majority Voting Requirements

- 5.2.2.1 A motion and second must be made by committee members present at the meeting. If the motion does not pass, a new motion must be made if the motion is to be considered again for vote.
- 5.2.2.2 For most motions, the Committee Chair may rule the motion passed or failed based upon verbal responses. If it is not clear, the Chair may request a tally vote.
- 5.2.2.3 If a tally vote is requested, the Committee Program Administrator (PA), or designee, records the tally of the Committee vote at the close of the voting period. The PA, or designee, must confirm and document that 50% or more of the votes cast were "for" the motion at the time of completion of the vote.

## 5.3 Super Majority Vote

Decisions made on the following topics must be approved by a super majority (two thirds) of votes of the entire committee in favor of the motion.

- Approval of new and revised Standards;
- Approval of all steps in the SIR process (including Expert Committee votes);
- All accreditation body recognitions;
- All matters of laboratory accreditation;

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- Fields of Proficiency Testing (FoPT) Tables;
- SOPs related to Consensus Standards development and accreditation body recognition.

#### 5.3.1 Eligibility

Each committee member present must cast one vote, or may abstain from voting, on any motion submitted for a vote. The Committee may vote on these motions during any committee meeting where a quorum is present. For the NELAP AC, two-thirds of the members must be present for a motion requiring a super-majority vote to be made. See section 5.4.

#### 5.3.4 Super Majority Voting Requirements

5.3.4.1 Super Majority votes require a roll call vote.

5.3.4.2 During any meeting, any Committee member may bring matters requiring a Super Majority vote before the committee by the appropriate motion and second. This includes matters that originate from other TNI committees.

5.3.4.3 Voting started by email follows similar requirements. A motion and second can be made by email by any Committee member.

5.3.4.4 During the roll call vote, committee members may cast votes by voice during a committee meeting. Committee members who are absent during the meeting in which a Super Majority vote is started, have two weeks to place a vote electronically by email or through some other written means.

5.3.4.5 In voting started by email, committee members may cast votes electronically by email or through some other written means. The vote must be completed within two weeks.

5.3.4.6 The vote is not considered valid unless two thirds of the committee voted “for” the motion within the designated two week period. If two thirds of the committee did not vote “for” the motion, the issue must be presented again for a motion for vote at a future committee meeting or the Committee must decide the motion failed.

5.3.4.7 The Committee Program Administrator (PA) records the Committee vote based on oral, electronic or written results at the close of the voting period. The PA must confirm and document that at least two thirds votes cast were “for” the motion at the time of completion of the vote. Votes are recorded in meeting minutes.

5.3.4.8 When any version of a Standard is presented to the committee for approval all Voting Members of the Expert Committee are required to vote, unless they abstain due to a conflict of interest. Failure of a Committee Member or Affiliate to provide a vote on a Standard or any portion thereof when presented for approval (without good cause) must result in their removal from the Expert Committee.

### 5.4 Votes on Matters Related to Laboratory Accreditation

A motion may only be undertaken when two-thirds of the NELAP AC membership is present. The designated representative or a designated alternate representative of an AB may cast an AB’s vote. Votes will close two weeks after a vote is initiated. Any vote on matters of accreditation requires a super majority of votes “for” from the entire council membership.

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An AB may vote For, Against, or Veto or may abstain from voting. It is expected that all AC members will vote on all matters of laboratory accreditation.

- 5.4.1 ABs may cast votes by voice during a meeting of the NELAP AC. Members who are absent during the meeting in which a vote on a matter of accreditation is made have up to two weeks to place a vote electronically.
- 5.4.2 If a vote on a matter of accreditation fails to pass within the two-week period, the Council reserves the right to discuss and revise the motion and present it again for vote.
- 5.4.3 To be adopted, matters concerning laboratory accreditation require a vote of "For" from two-thirds or more of the Council (a super majority) and no votes of "Veto."

## **5.5 Veto Votes by the NELAP AC**

- 5.5.1 When a veto vote is cast, any member who casts a veto must submit to the NELAP AC Chair written justification that clearly outlines the specifics of the objection. The written justification must be submitted within one week of the veto vote.
- 5.5.2 To be adopted, matters concerning laboratory accreditation require a vote of "For" from two-thirds or more of the Council (a super majority) and no votes of "Veto."
- 5.5.3 If a simple majority of the Council determines that the submitted rationale for the veto vote is persuasive, the NELAP AC must either fail the vote or reconsider the motion, if reconsideration is within the Council's purview. For instance, if the vote is to adopt a standard or approve a SIR, the vote fails, since the AC cannot modify those items unilaterally. If the Council has the option of altering the matter undergoing vote, it will seek to do so in a fashion that accommodates the AB's reason for veto.
- 5.5.4 If a simple majority of the Council does not agree that the veto vote is persuasive, the AB casting such veto must either provide additional or stronger rationale (such as formal opinion from state legal counsel) or withdraw the veto. Providing any further rationale should be accomplished expeditiously.
- 5.5.5 The Program Administrator returns any item that does not pass to the originating committee for resolution.

## **5.6 AC Voting for Standards Interpretation Requests**

TNI has established a website for voting on final interpretations of standards. This section sets forth the NELAP AC voting process as it must apply to this form of electronic voting, where each AC member has a secure login and password for access.

While only the designated representative has a secure login and password, the individual AB has the discretion to authorize an alternate designated representative to utilize that login if desired, for voting purposes. All votes cast are shown as if cast by the current AB representative; this attribution changes when the representative changes.

Once the interpretation is posted to the SIR voting site, the NELAP AC Program Administrator is notified, and the NELAP AC also notified as soon as possible. The NELAP AC is expected to complete the voting process within 30 days of notification, in order to meet the timelines set forth in the Laboratory Accreditation Systems Executive Committee's (LASEC's) SIR Management SOP 3-105.

- 5.6.1 Each NELAP AB receives one vote. This vote may be given by the designated representative or alternate designated representative by logging into the site and casting the vote. Each AB's vote is clearly identified through the log-in process.
- 5.6.2 When the SIR is posted on the site, the voting options are: For, Against, Needs Discussion, Not voting at this time, or Veto. A vote other than "For" should use the comment section to explain the reason for discussion, negative vote or veto. ABs are able to see each other's votes and comments. This voting mechanism has been

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designed as a tool to speed acceptance of SIRs without consuming excessive meeting time for the Council, and for SIRs only, the “veto” vote signifies that the AB casting the vote believes that, had the offered interpretation been part of the original standard, it would have warranted veto on the adoption of the standard. That is to say, the offered interpretation cannot be implemented or enforced by the AB due to its statutes and regulations.

- 5.6.3 When a super majority of the NELAP AC has voted “For” the response and no “Veto” votes have been recorded, the ABs are notified by the SIR Program Administrator that the vote is coming to a close and they have 2 weeks to cast a vote. If there is no “Veto” within the two-week period, the SIR response is considered approved and it is posted to the TNI website. Failure of an AB to vote (an abstention) , or a “Not voting at this time” vote will be considered a vote Against the interpretation.
- 5.6.4 If a “Veto” vote is received, it is the responsibility of the voting AB to provide written rationale to the NELAP AC, the NELAP AC Program Administrator, and the SIR Program Administrator. The comment box on the voting site may be used for this purpose. The SIR and veto are discussed at an upcoming NELAP AC meeting. If a majority of the NELAP AC determines the veto is persuasive, the SIR must be returned to the LASEC with an explanation and a request to reconsider the interpretation and provide a modification that can be successfully implemented and enforced by all NELAP ABs.
- 5.6.5 If a super majority vote in favor of the SIR cannot be reached by the NELAP AC on the voting site, it is forwarded by the Program Administrator to the NELAP AC for discussion at a NELAP AC meeting. If the NELAP AC fails to accept an interpretation by this mechanism, a written response to the LASEC is prepared, asking for the committee return to the applicable expert committee for reconsideration of the response.

**6.0 Records Management**

Records associated with the voting must be handled in accordance with TNI Policy 1-104 Management of Records. All electronic votes must be saved by the Program Administrator and the results reported in the minutes of the next meeting following the closure of the vote; internet votes must be archived by the TNI Webmaster.

**7.0 Quality Control**

This SOP will be reviewed every five years or whenever required, whichever occurs first. The Policy Committee Program Administrator will initiate this review. This review will be documented and any changes deemed necessary will be made with the TNI Board of Directors’ approval.

**8.0 References**

- POL 1-104: Management of Records
- SOP 3-105: Standards Interpretation

**9.0 SOP Approved Changes**

Revision No.	Effective Date	Description of Change
0	1/31/08	New Document.
0.1	9/2/12	Removal of boards to reflect 2010 organizational change
0.2	2/19/16	Add section 8.4 to address handling of abstentions
0.3	5/4/18	Added “by definition > 50%” to definition of quorum to be consistent with glossary
1.0	3/19/21	Complete overhaul of SOP.

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2.0	NA	Significant changes throughout to reflect 2/8/23 Board decision to have one voting SOP.
2.1	6/8/23	Moved process language from Definitions to Procedure. Added section 5.1.1 and 5.4 and other minor edits.
2.2	2/2/24	Added section 5.1.9 and changed "shall" to "must" throughout the document.