Technical Policies and Procedures of the National Electrical Manufacturers Association

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1 Management, Authority, and Responsibility for NEMA Standardization Activities

Overall management of the Association is vested in the Board of Directors. Management, authority, and responsibility for the Association's technical publication development activities lie with the Standards and Conformity Assessment Policy Committee (SCAPC) and are implemented by SCAPC-appointed committees and NEMA Groups.

1.1 Standards and Conformity Assessment Policy Committee (SCAPC)

1.1.1 SCAPC Mission

SCAPC is responsible for overseeing NEMA standardization and conformity assessment activities in the domestic, regional, and international fields. SCAPC is a decision-making body and has strategy and policy responsibility for all NEMA work in the development and review of technical standards, rules, codes, specifications, or other regulations, both within NEMA and in cooperation with other organizations and agencies. In addition, the committee is responsible for annually developing and approving NEMA's technical strategy and publication objectives.

1.1.2 SCAPC Membership

The membership of SCAPC shall be based on the following criteria: balanced representation across NEMA sectors, executive-level technical expertise aligned with existing and emerging electroindustry technologies, and commitment to active participation. The committee members shall be nominated by SCAPC and shall be appointed by the NEMA Board of Directors Executive Committee to serve for two-year terms. If a vacancy occurs before the end of the term, the Chair of the NEMA Board of Directors may appoint a replacement.

1.1.2.1 SCAPC Officers

SCAPC shall have a Chair and a Vice Chair. The Chair and Vice Chair shall be designated by the Board of Directors Executive Committee. The Chair and Vice Chair shall be members of the Board of Directors. Officers shall serve a term of one year. No person shall hold any of the foregoing offices for more than three full consecutive terms unless there shall have been a lapse of one year between the date of their retirement and subsequent election.

The Chair shall preside at all meetings of SCAPC. During any period of absence or temporary incapacity of the Chair, the Vice Chair shall perform the duties and have the powers of the Chair.

1.1.2.2 Voting Members

SCAPC voting members shall include executive-level technical representatives from electrical product manufacturer member companies, with one voting representative per company. The total number of voting members shall not exceed ten percent (10%) of the total number of electrical product manufacturer member companies in NEMA. Associate members and non-members may be invited to attend as non-voting observers. Voting membership is limited to one member per company.

1.1.2.3 Non-Voting Members

The Chairs of the Standing Committees (i.e., Codes and Standards Committee and the International and Regional Standardization Committee) may be invited to attend committee meetings as non-voting observers. Additional technical experts may be invited to provide relevant industry input and feedback as non-voting observers, subject to SCAPC Chair approval.

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1.1.3 SCAPC Meetings, Quorum, and Voting

SCAPC shall hold meetings at such times and places as may be fixed by the chair, normally three times a year.

A majority of the voting members of the Committee shall constitute a quorum at all meetings.

There shall be one vote per NEMA member company. Approval of committee actions at meetings requires a quorum and approval by a majority of the voting members present and voting. Approval of Committee actions between meetings requires approval by a majority of the voting members casting a vote.

1.1.4 SCAPC Scope

In addition to such other powers and duties granted or prescribed by the Board of Directors Executive Committee, the scope of the committee shall be to:

a) Develop, maintain, and communicate a dynamic strategy for NEMA international, regional, and national standards and conformity assessment and code development activities. Such strategy shall encompass the changing global markets, health, safety, efficiency, resilience, reliability, decarbonization, sustainability, and environmental issues, and the impact of new and emerging technologies.

b) Support of NEMA members' positions on standards and conformity assessment in coordination with the Government Relations and Communications Committee when standards, codes, and other technical information are considered for reference in regulation or legislation. Coordinate with other NEMA committees as appropriate.

c) Enhance NEMA influence through developing constructive relationships with other organizations, both public and private, to promote NEMA's technical objectives.

d) Manage the NEMA standards and conformity assessment programs through prioritizing the activities of the standing committees in accordance with the developed strategies and policies.

f) Provide strategic direction to NEMA Groups and Committees, without dictating specific technical implementation details, deferring to each technical committee's area of expertise.

1.1.5 SCAPC Nominations

SCAPC shall send its recommendation for SCAPC membership to the Board of Directors Executive Committee for final approval.

In the interest of maintaining balance on the committee, SCAPC shall consider attendance records, active participation on standing NEMA committees, the need for special areas of technical and technical policy expertise not already represented on SCAPC, and diversified representation of NEMA membership (including representation from individuals associated with larger and smaller enterprises, individuals associated with industry NEMA Groups not already represented on SCAPC, and whether an individual(s) associated with the same enterprise as a nominee already is a member of or candidate for SCAPC and similar industry expertise and/or active participation is not available from a person associated with a different enterprise). SCAPC shall develop and utilize a representation and expertise matrix to evaluate prospective candidates.

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1.1.6 SCAPC Subgroups

SCAPC may appoint subgroups as needed. Subcommittees shall be created to address long term or permanent interest areas, and task forces to address short-term issues. Subcommittee and task force work is subject to the approval of the full committee. Subcommittees and task forces shall be open to participation of any representative of a NEMA electrical manufacturer member company. Meetings shall be called at the discretion of the chair.

1.2 Codes and Standards Committee (C&S)

1.2.1 C&S Mission

The Codes and Standards Committee (C&S) is responsible for supervising and correlating all work of the Association in the development of technical standards, rules, codes, specifications, or other technical regulations, both within the Association and in cooperation with other organizations, except as such authority is assigned to another NEMA Group. In addition, C&S promotes the adoption of building codes and supports harmonization of electrotechnical product and conformity assessment procedures on a regional basis in accordance with the expressed wishes of the affected NEMA Groups. Additional information regarding C&S Operations can be found in *C&S Committee Operating Procedures*.

1.2.2 C&S Membership

The membership of C&S shall be persons who are representatives of electrical product manufacturer members of the Association and shall be based on the following criteria: balanced representation of the broadly diversified interests and products within NEMA, technical expertise, and commitment to active participation. Committee members are appointed to represent the technical best interests of NEMA as a whole and not of particular NEMA Groups or members. The committee members and officers shall be nominated by the C&S Nominating Committee and shall be appointed by SCAPC to serve for one-year terms.

Voting membership on C&S shall be limited to a maximum of one voting member from any one parent member company. A member company may have one or more non-voting members on C&S.

1.2.3 Leadership

The Officers of C&S shall be voting members of the committee and consist of a chair and not less than two, nor more than four, vice chairs. The chair shall not serve more than a maximum of two years in that position. The Officers shall not serve more than a maximum of six years, except the immediate past chair may be permitted to serve an additional one-year term as vice chair provided the total term of service does not exceed seven years. The vice chair with the most years of service as vice chair, who is eligible to serve as chair and excluding the past chair, shall be the Parliamentarian of the Committee. The Parliamentarian shall help to train new Officers and ensure that proper procedures are followed.

1.2.4 C&S Meetings, Quorum and Voting

The committee shall hold meetings at such times and places as may be fixed by the chair. Five voting members of the Committee shall constitute a quorum at all meetings. All matters submitted to C&S, its officers, and any committee of C&S for decision or action shall require, for approval, the affirmative vote of a majority of those members voting.

1.2.5 Interim Power of C&S Officers

The officers of C&S shall hold meetings or conduct ballots at such times and places as may be fixed by the chair and shall be empowered to act between meetings of the full committee on all matters except for

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approval of standards (except as otherwise specifically provided in the “Provisional Standards” section), which requires committee action. A majority of the officers shall constitute a quorum.

The officers may meet or conduct ballots between the regular committee meetings to act upon items of urgency such as ballots or comments that have a close due date, letters to agencies or the like that need immediate attention to be effective, special instances as dictated by the committee, etc. on these issues on behalf of C&S. The recommendations of concerned NEMA Groups shall be solicited. If, for some reason, any of the officers feels that there has been insufficient solicitation for NEMA Group recommendations, or if the issue needs to have exposure to the full committee, the item can be balloted to the committee prior to their regular meeting through conference call or by electronic means. The concerned officer shall notify the C&S Secretary and other officers in writing of the desire for full committee consideration.

Once the officers of C&S have taken an action, the action shall be included on the next C&S agenda for approval. If any such action is disapproved by C&S, the committee shall then take such action as is required to supersede the disapproved action.

1.2.6 C&S Subgroups

C&S may appoint subgroups as needed. Standing Committees or Subcommittees shall be created to address long term or permanent interest areas, and task forces to address short-term issues. All subgroup work is subject to the approval of the full committee. A voting or non-voting member of the committee shall chair all subgroups and a minimum of two additional members of the committee shall be required to participate in the subgroups. Subgroups shall be open to participation of any representative of a NEMA electrical product manufacturer member company, except the Nominations Committee, which is appointed according to the procedures detailed in Section 1.2.7. Meetings may be called at the discretion of the chair of the subgroup.

1.2.6.1 C&S Scope

In addition to other powers and duties granted or prescribed by the SCAPC from time to time, and subject to the supervision and direction of the SCAPC, the scope of C&S shall be:

a) Approve NEMA standards or technical publications developed by NEMA Groups.
b) Appoint representatives of the Association to act with outside bodies in the development of standards, rules, codes, and regulations of outside bodies; and to supervise and correlate the work of such representatives, except as such authority is assigned to another NEMA Group (see Appendix C).
c) Authorize the appointment of, and to supervise the work of, Joint Committees of NEMA Groups on technical matters, and to notify the secretary of each interested NEMA Group when a Joint Committee has been appointed to consider any technical matter (see Appendix B).
d) Approve or disapprove all explanatory data and information of a technical or engineering nature to be issued as Authorized Engineering Information.
e) Address regional (U.S. and Canadian) conformity assessment issues.
f) Administer the Technical Field Program by defining and publicizing the program, assisting in representative training and evaluating effectiveness of the program.
g) Approve Engineering Bulletins that come under the scope of the committee.
h) At the discretion of the NEMA President, approve other items that explicitly contain technical content such as, NEMA Group requests to send letters to outside organizations, NEMA presentations, NEMA websites, marketing information, guides, white papers and other technical publications.
i) Hear appeals of technical issues between NEMA Groups or between members within a NEMA Group.
j) Advise and recommend to SCAPC any change to the policies and procedures governing technical issues of the Association.

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k) Approve responses to requests for interpretation of NEMA standards.
l) Communicate with the IRSC on issues of mutual concern to coordinate NEMA positions and mitigate overlapping scope.

1.2.7 C&S Nominations Committee

At the beginning of each year, the chair of the SCAPC shall appoint a Nominations Committee to consider the nominations of individuals for membership on C&S and to develop a recommended slate of candidates for membership on C&S for the next calendar year. Recommendations may come from all sources. The Nominations Committee shall make a recommendation of a slate of candidates to C&S by August 1 annually. C&S shall review and approve such a recommendation and send it to the SCAPC by September 15 annually for final approval. The recommendations shall indicate how the Nominations Committee considered the factors outlined below. Interim appointments to C&S shall be similarly processed.

The Nominations Committee shall consist of a Chair and at least three members of C&S and/or SCAPC. Service on the Nominating Committee is for a one-year term; no person may serve on the Nominations Committee for more than three consecutive years. The chair of SCAPC shall consider rotating some members on and off the Nominations Committee each year.

In the interest of maintaining balance on C&S, the Nominations Committee shall consider attendance records, active participation on standing NEMA committees, the need for special areas of technical and technical policy expertise not already represented on C&S, and diversified representation of NEMA membership (including representation from individuals associated with larger and smaller enterprises, individuals associated with NEMA Groups not already represented on C&S, and whether an individual(s) associated with the same enterprise as a nominee already is a member of or candidate for C&S and similar industry expertise and/or active participation is not available from a person associated with a different enterprise) on the working group or task force expertise matrix.

1.2.8 Development of Technical Publications by C&S

C&S may develop technical publications that address issues that impact multiple NEMA Groups.

1.3 International and Regional Standardization Committee (IRSC)

1.3.1 IRSC Mission

The International and Regional Standardization Committee (IRSC) is responsible for representing, supervising, and coordinating all work of the Association in the development and implementation of International/Regional programs outside the United States and Canada that address technical standards, product and manufacturing regulations and their respective conformity assessment systems. The latter includes evaluation and promotion of specific conformance criteria through development of Association position statements on required and proposed product marking systems and market access requirements. The IRSC, in collaboration with NEMA Groups and to meet NEMA member company needs, is required to propose and implement strategies and tactical programs that comport with NEMA-agreed standardization policies and strategies expressed by SCAPC, and to coordinate with the appropriate NEMA committees.

1.3.2 IRSC Membership

The membership of the IRSC shall be persons who are representatives of electrical product manufacturer members of the Association and shall be based on the following criteria: balanced representation of the broadly diversified interests and products within NEMA, technical expertise, and a commitment to active participation. Committee members are appointed to represent the technical best interests of NEMA as a whole and not particular NEMA Groups or members. The committee members and officers shall be

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nominated by the IRSC Nominations Committee and shall be appointed by the SCAPC to serve for one-year terms.

Voting membership on IRSC shall be limited to a maximum of one voting member from any one parent member company. A member company may have one or more non-voting members on IRSC.

1.3.2.1 Leadership

The chair of the IRSC and chair of all IRSC working groups may serve in those positions for no more than three consecutive one-year terms. The officers of the IRSC shall be a chair, a vice chair, and past chair.

1.3.3 IRSC Meetings, Quorum and Voting

The committee shall hold meetings at such times and places as may be fixed by the chair. Five members of the committee shall constitute a quorum at all meetings. Approval of committee actions at meetings requires a quorum and approval by a majority of the members present and voting. Approval of committee actions between meetings requires approval by a majority of the members voting.

1.3.4 IRSC Subgroups

The International and Regional standardization committee may appoint subcommittees for long term interest areas and/or task forces to address short term issues that make up the working agenda of the IRSC committee. All subgroup work is subject to the approval of the full IRSC committee.

A member of the IRSC will chair all subgroups and a minimum of two additional members of the IRSC shall be required to participate in the groups. Subgroups shall be open to participation of any representative of a NEMA electrical product manufacturer member company. Meetings may be called at the discretion of the chair of the subgroup.

1.3.5 IRSC Scope

In addition to other powers and duties granted or prescribed by the SCAPC from time to time, and subject to the supervision and direction of the SCAPC, the scope of the committee shall be:

a. Define objectives and establish priorities to enhance NEMA's international influence and to achieve timely and comprehensive positions on international and regional standards and conformity assessment issues of interest to NEMA.
b. Monitor the international, regional, and other activities of individual NEMA Groups including NEMA regional offices, together with activities of the national, regional and international organizations actively participating in markets of interest to NEMA members, and then implement strategies and actions to achieve NEMA member company needs.
c. Appoint representatives of the Association to act with regional and international management committees of outside bodies and to supervise and correlate the work of such representatives, except as such authority is assigned to another NEMA committee or council.
d. Implement and oversee maintenance of a system to ensure a succession of qualified industry representatives to serve on committees of outside bodies, within the scope of IRSC.
e. Maintain primary responsibility and contact in the international activities of national, regional, and international organizations.
f. Implement all NEMA international and regional strategy activities.
g. Support NEMA Group activities for participation in international and regional standards development.
h. Direct coordination between NEMA departments for regulatory issues, particularly related to standardization and conformity assessment.
i. Develop NEMA positions for input to the USNC and IEC, and other international or regional standards bodies, activities including policy statements, strategic goals, advisory committee actions, guides for participants, etc.
j. Identify global certification issues, develop action plan and coordinate NEMA Groups responses.

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k. Serve as a resource for the NEMA Regional Offices on subjects concerning standards and conformity assessment issues.
l. Communicate with C&S on issues of mutual concern to coordinate NEMA positions and in order to mitigate overlapping scope.

1.3.6 IRSC Nominations Committee

At the beginning of each year prior to the first meeting of SCAPC, the chair of the SCAPC shall appoint a Nominations Committee to consider the nominations of individuals for membership on IRSC and to develop a recommended slate of candidates for membership on IRSC for the next calendar year. Recommendations may come from all sources. The Nominations Committee shall make a recommendation of a slate of candidates to IRSC by August 1 annually. IRSC shall review and approve such a recommendation and send it to the SCAPC by September 15 annually for final approval. The recommendations shall indicate how the Nominations Committee considered the factors outlined below. Interim appointments to IRSC shall be similarly processed.

The Nominations Committee shall consist of a chair and at least three members of the International and Regional Standardization Committee. Nominations shall be submitted to International and Regional Standards Committee for endorsement and then submitted to the SCAPC for approval.

In the interest of maintaining balance on IRSC, the Nominations Committee shall consider attendance records, active participation on standing NEMA committees, the need for special areas of technical and technical policy expertise not already represented on IRSC, and diversified representation of NEMA membership (including representation from individuals associated with larger and smaller enterprises, individuals associated with industry NEMA Groups not already represented on IRSC, and whether an individual(s) associated with the same enterprise as a nominee already is a member of or candidate for IRSC and similar industry expertise and/or active participation is not available from a person associated with a different enterprise) on the working group or task force expertise matrix.

1.3.7 Development of Technical Publications by IRSC

IRSC may develop technical publications that address international issues that impact multiple NEMA Groups.

1.4 Joint Committees of NEMA Groups

Joint Committees (JCs) of NEMA Groups may be appointed by C&S or IRSC to work on technical matters which overlap the scopes of the NEMA Groups involved (see Appendix B). These committees may also, when authorized by C&S or IRSC, develop and maintain NEMA standards in accordance with the same procedures used by a NEMA Group. These standards shall be approved by all participating NEMA Groups and are subject to final approval by C&S.

2 NEMA Group Operations

2.1 Types of Groups

2.1.1 NEMA Groups

NEMA Groups include, but are not limited to, NEMA Sections and Sectors. NEMA Groups can be aligned by products and technologies, or by virtue of other aligned interests. “NEMA Group” means any NEMA Section, Committee, Subcommittee, Working Group, task force, or other body formally established pursuant to the NEMA Bylaws or these Technical Policies and Procedures.

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2.1.1.1 NEMA Sections

As a specific subcategory of NEMA Group, Sections are comprised of members that manufacture products included within a Board-approved Section scope.

2.1.1.2 Voting Classification

By majority vote of all members of a NEMA Section and with the authorization of the Board of Directors, the members of any Section, the product scope of which embraces diversified products, may from time to time be divided for purposes of voting on any one or more activities within the scope of the Section, into two or more Voting Classifications, so as to permit limiting the vote to those members of the Section which have a direct interest.

2.1.2 Committees

A Committee is a group of NEMA members brought together to address an issue relevant to more than one NEMA Section.

2.1.3 Coalitions

A Coalition is a group of NEMA members and non-members brought together to address an issue relevant to more than one NEMA Section.

2.2 Group Membership and Voting

2.2.1 Eligibility for NEMA Group Membership

Each NEMA electrical product manufacturer member shall be eligible for affiliation with any NEMA Group if it manufactures or brand labels for sale and use in the United States, an electrical product included with the scope of the group or under such other criteria as the group shall adopt. Upon affiliation with a NEMA Group, each member shall automatically become affiliated with the Sector within which the NEMA Group is included. Subject to the approval of the Board of Directors, a NEMA Group may propose as a general rule applicable to the NEMA Group to deny eligibility for affiliation to members who only brand label an electrical product within its scope.

The affiliation of a member with any NEMA Group shall terminate in the event and on the date that the Board of Directors shall find that the member has ceased to be eligible for such affiliation.

The Board of Directors may determine the eligibility for affiliation with a NEMA Group of any member at any time and shall determine such eligibility upon the written request of not less than two members of the NEMA Group.

Any member may withdraw at any time from any NEMA Section upon filing with the Secretary of the Association a written notice of such withdrawal. The withdrawing member shall pay dues in accordance with the NEMA bylaws on all products manufactured by it which are within the product scope of the Association whether or not the member is affiliated with the NEMA Section within whose product scope the product falls.

2.2.2 Voting

Each member shall designate one of its representatives as its voting representative in each group with which it is affiliated. The voting representative shall have the power to vote upon all matters presented to the membership. Each member may designate one or more alternate representatives, who may vote in the absence of the voting representative. Each member company shall be afforded only one vote on all issues in front of the group.

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At any meeting of a NEMA Group, the Voting Representative of any member may be represented by a proxy granted to another of the Representatives of such member, or to an authorized Voting Representative of some other member. Any proxy granted hereunder shall be in writing and shall be subject to the approval of the Chair of the meeting.

2.2.3 Letter Ballots

Any vote of a NEMA Group may be taken by letter ballot. Unless otherwise specified, the voting period shall be no shorter than 14 calendar days and no longer than 45 calendar days, unless circumstances require a shorter or longer period. The issuance of a letter ballot to any NEMA Group satisfies the quorum requirements. Except as otherwise provided in these procedures, the vote of a majority of members casting a vote shall be the act of the members of the group. An abstention is not counted as a vote for purposes of determining whether a vote or ballot was successful. The recorded votes of a letter ballot shall be reported in writing to the NEMA Group or committee voting or announced at the next meeting of the NEMA Group or committee, except where disclosure of a vote reveals confidential information. No member may change its vote given by letter ballot after the expiration of the voting period or after the member has specifically waived the right to do so by statement on such letter ballot. In any case where authority to take any action is requested by letter ballot, such action may be taken immediately upon return of the number of ballots needed to authorize such action, if the letter ballot contained a notice of intention so to act and if each of the returned ballots so needed to authorize such action contains a waiver of the right to change the vote made thereby. The result reached on any letter ballot may be reopened at the request of not less than twenty percent of the members of the side which prevailed on the ballot submitted, and at a time no later than the next succeeding meeting of the group authorizing the letter ballot.

2.2.4 Meeting Votes

Except as otherwise provided in these procedures, the vote of a majority of members of the group present and voting at any meeting, duly called, at which there is a quorum present shall be the act of the members of the group.

2.2.5 Quorum

Unless otherwise specified in these procedures, 25% of the members of any group shall constitute a quorum at any meeting. Notwithstanding the foregoing, NEMA Groups may, in accordance with applicable NEMA policies and procedures, adjust NEMA Group voting membership status or quorum treatment as necessary to support effective group operations.

2.3 Group Officers

Each NEMA Group shall elect a Chair and, if desired, a Vice Chair, and such other officers as the Group may desire. The officers shall be elected in a manner prescribed by the group and shall hold office for a term of one year or until their successors are elected.

2.3.1 Chair

The Chair of each NEMA Group, unless otherwise specified in these procedures, shall hold office for not more than three full consecutive terms unless reelected by the group upon the recorded vote of two-thirds of the members.

2.3.2 Vice Chair

The Vice Chair shall exercise all of the powers of the Chair during the absence or incapacity of the Chair.

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2.4 Technical Committee

Each NEMA Group may have a Technical Committee, or the NEMA Group may act as its own Technical Committee. The Technical Committee shall consist of any member of the NEMA Group who desires to be represented.

2.4.1 Composition and Officers

The chair of each such Technical Committee and vice chair, if any, shall be appointed by the chair of the NEMA Group. The Secretary shall be a member of the staff of the Association.

2.4.2 Designation of Representatives

Any member of the NEMA Group may designate to the secretary in writing its company representative (and any alternates) on such committee.

2.4.3 Scope

The scope of the Technical Committee is to develop recommendations on technical standards, rules, codes, specifications, or regulations dealing with the safety of electrical apparatus or supplies, and on other engineering matters.

In addition, the Technical Committee shall determine whether any standard or other technical matter which has been proposed by another NEMA Group of the Association or by an outside organization, and which has been referred to the NEMA Group by C&S, is of sufficient interest, in its character or effect, to require its submission to the NEMA Group for letter ballot or otherwise.

2.4.4 Power to Act

The NEMA Group, by majority vote of its members voting, may grant to the Technical Committee limited or general authority to act for the NEMA Group on all technical matters, including standards development and approval and on such other general matters as it deems desirable.

Each Technical Committee may have Working Groups or Task Forces, ad hoc or standing, as it deems necessary to perform its functions. The Technical Committee Chair shall have authority to review and appoint membership on such Working Groups or Task Forces.

When any such authority is given to the Technical Committee, any member of the NEMA Group may request the NEMA Group to withdraw the authority to act on any specific matter.

Any such request must be acted upon by the NEMA Group at the next succeeding meeting following receipt of such request.

3 Procedures for the Development of NEMA Technical Documents

3.1 Definition of a NEMA Standard

A standard of the National Electrical Manufacturers Association (NEMA) is a document that includes requirements for a product, process, or procedure with reference to one or more of the following: nomenclature, composition, construction, dimensions, tolerances, safety, operating characteristics, performance, rating, testing, installation, and the service for which it is designed.

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3.2 NEMA Technical Publications

NEMA technical publications include NEMA standards and other technical documents such as white papers, engineering bulletins, technical position papers, and the like. Each technical publication can be revised individually, and the publication maintained by issuance of revisions as they are approved. Major revisions to NEMA technical publications, for practical reasons, may require the issuance of an entire new publication. In addition, NEMA technical publications and revised standards contained therein are identified by number and date per the *NEMA Designation Policy* (Appendix G).

NEMA technical publications are subject to periodic review as described in the "Review of NEMA Technical Publications" section.

Each NEMA technical publication shall contain the Notice and Disclaimer as it appears in Appendix A.

3.3 Categories of NEMA Technical Publications

The term "Technical Publication" is inclusive of the following document types:

3.3.1 NEMA Standard

A NEMA standard is a document approved by C&S describing technical requirements for comment and repeated use and related to a product, process, procedure, or practice.

3.3.1.1 NEMA/ANSI Standard

NEMA may choose to seek American National Standard (ANS) status for any standard. The process for approval and maintenance of a NEMA/ANSI standard is governed by the NEMA Procedures for Development of American National Standards.

3.3.2 Engineering Bulletins

Engineering Bulletins consist of explanatory data and other engineering information of an informative character not falling within the classification of a NEMA standard.

3.3.3 Guides

NEMA Guides are documents meant to provide informative guidance to the industry.

3.3.4 Recommended Practices

NEMA Recommended Practices include engineering studies, environmental studies, observations, and recommended practices. Such documents are informative in nature and do not fall within the classification of a NEMA standard.

3.3.5 Whitepapers

A NEMA whitepaper is a persuasive, authoritative, in-depth report on a specific technical topic. Whitepapers are created to educate about a particular issue, provide an explanation, or promote a particular methodology.

3.3.6 Position Papers

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NEMA may produce Position Papers that are technical, regulatory, or legislative in nature. Those position papers that are regulatory or legislative are outside the scope of these procedures. A NEMA position paper that is technical in nature is a report outlining the Association's attitude or intentions regarding a particular technical matter. Such position papers shall provide supporting arguments for the Association position and, where possible, provide data to support the position. The purpose of a such a position paper is to validate a NEMA technical position. These publications do not include public comments submitted to a federal or state regulatory agency or legislature in response to a request from that governmental body.

3.3.7 Other Technical Documentation

On occasion, a NEMA Group may desire to develop a technical publication that does not fit into one of the other categories. When this occurs, the NEMA Group may designate the document in a way that differentiates it from other categories but shall follow the procedures for the development of NEMA technical publications.

3.4 Scope of NEMA Technical Publications

Any NEMA Group may develop NEMA technical publications that cover products within the product scope of the NEMA Group. Upon approval of C&S, any NEMA Group may develop standards for products not within the product scope of the NEMA Group, provided that standards for those products are not within the scope of any other NEMA Group. If approval is granted, the product scope of the NEMA Group shall be extended to include the product which is the subject of the standard so approved, providing that members of the NEMA Group either manufacture or promote the manufacture for sale of such product. The NEMA Group oversees the development of such standards in accordance with the procedures outlined in the "Development of NEMA Technical Publications" section.

The processes for developing NEMA Standards and Technical Publications are depicted in Figures 1 and 2. The organizational structure for NEMA technical work is provided in Figure 3.

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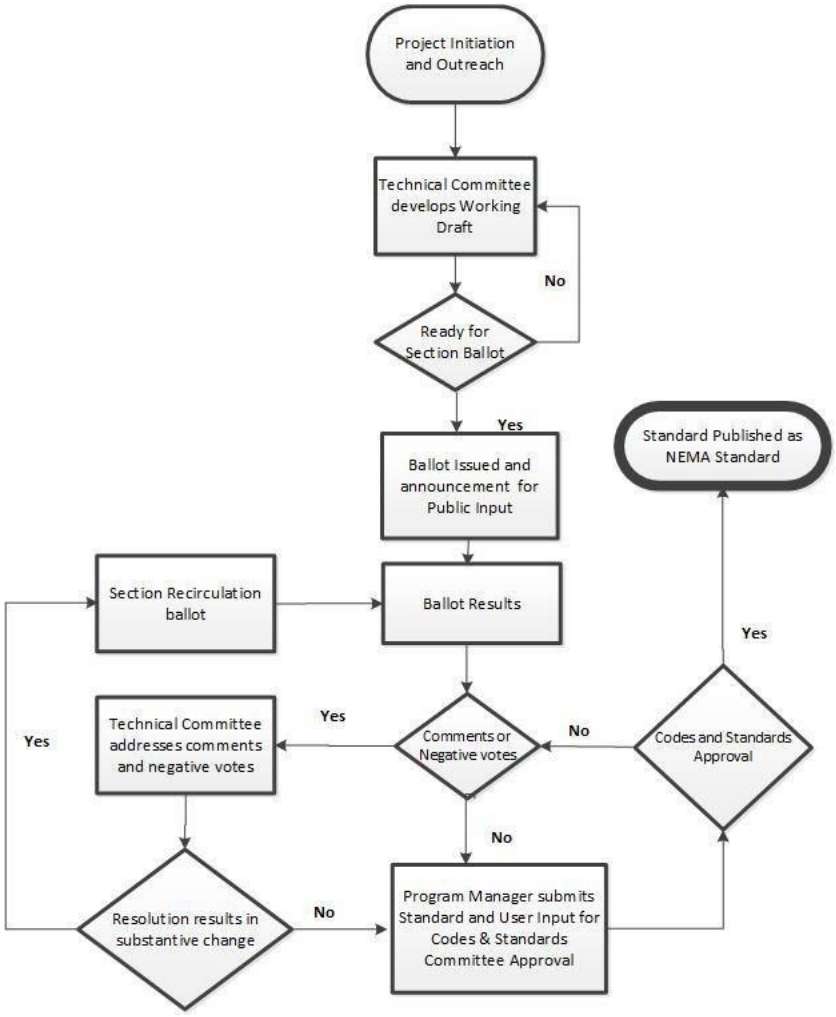

Figure 1 Development of NEMA Standards

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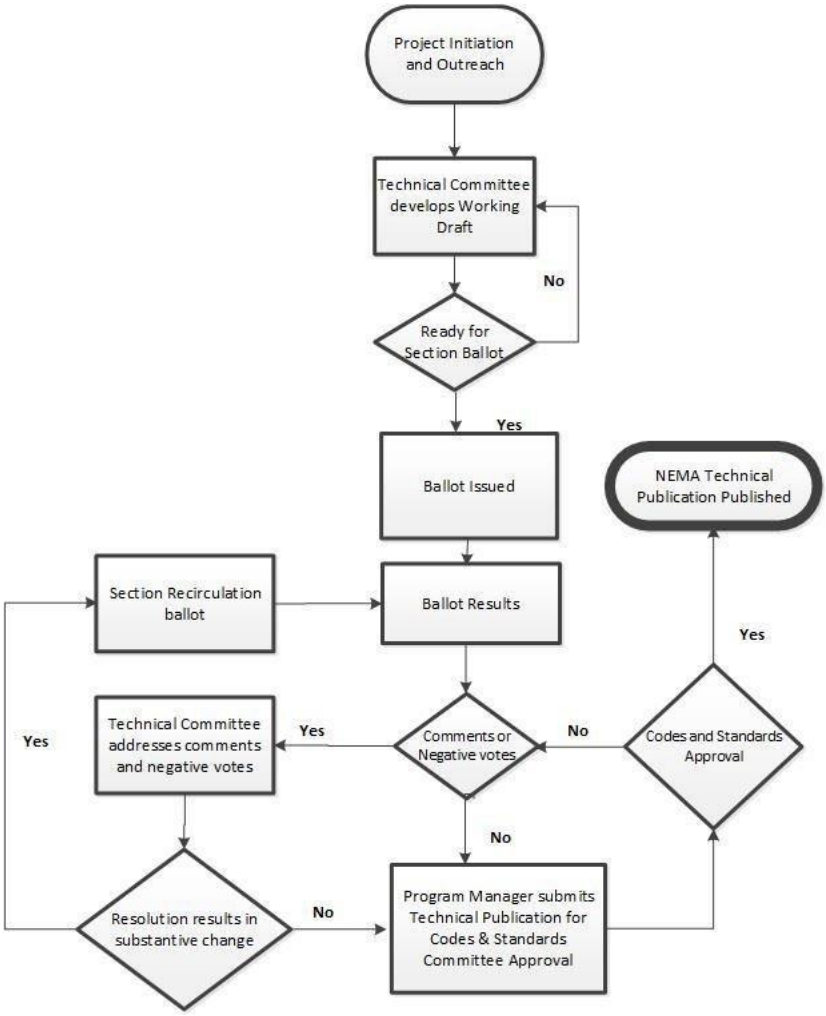

Figure 2 Development of NEMA Technical Documents

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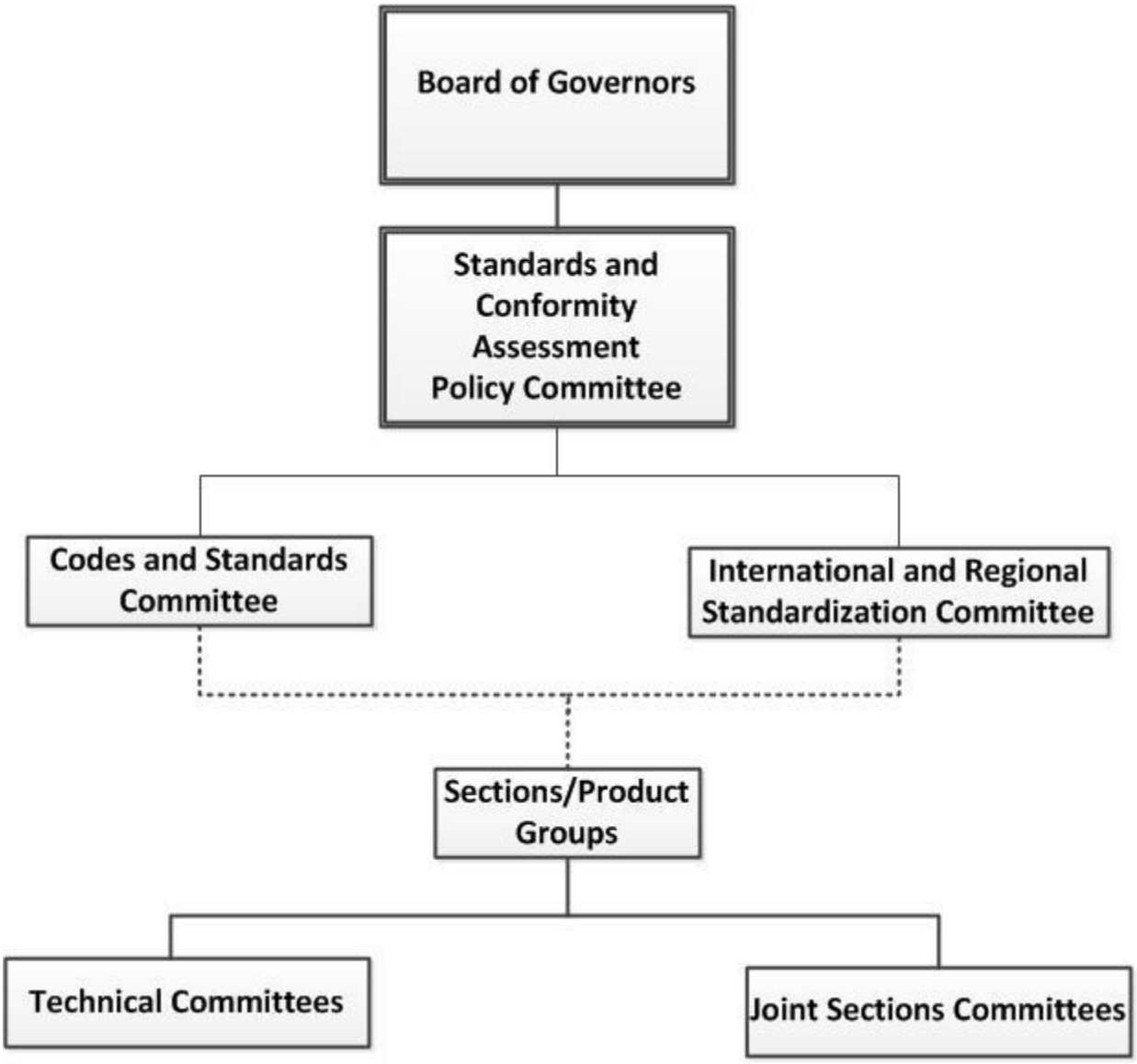

Figure 3 General Flow Chart

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3.5 Notice of Intent to Develop a Technical Publication

3.5.1 Initiation of Project

Before any significant work is done on a project, it shall be approved by the NEMA Group or duly authorized committee of the NEMA Group. Project initiation shall be recorded by the NEMA Group and submitted for information in a timely fashion to the NEMA Technical Department. Project initiation information shall include the date the project was authorized, the intent of the project (new document, revision, reaffirmation, stabilized maintenance, withdrawal), the name of the NEMA Group, a proposed designation, title and scope statement, target audience, and an expected date for publication. Project initiation information shall be shared with affected NEMA Groups to allow for input.

3.5.2 Letter Ballot Procedure

3.5.2.1 Letter Ballots

Except in the instance of 100% attendance, any NEMA Group vote on a standard shall be taken by letter ballot. Letter ballots shall include the name and designation of the subject document, an explanation of the ballot, a closing date, indication of the group(s) being asked to vote and instructions for voting. Electronic means of letter ballot distribution are permissible in accordance with the Association By-Laws.

3.5.2.2 Input by Affected Groups

At the time of letter ballot, a draft technical publication shall be shared with affected NEMA Groups for input. Affected NEMA Groups shall be given at least 30 calendar days to review proposed standards and at least 14 calendar days to review other proposed technical publications. Comments submitted by affected NEMA Groups and members shall be handled according to the appropriate procedures.

3.5.2.3 Proper Subjects and Standard Voting Period

Unless otherwise specifically provided in the By-Laws, or unless otherwise provided in certain cases by C&S, the voting period for approval of NEMA standards shall be at least 30 calendar days and for other NEMA technical publications, the voting period shall be at least 14 calendar days.

3.5.2.4 Votes—How Recorded

All letter ballots shall provide for recording the votes of members in the affirmative, in the negative, or as not voting.

3.5.2.5 Voting Eligibility on Technical Publications

A member who manufactures the product within the scope of a Voting Classification is eligible to vote on technical publications pertaining to that product. Upon two-thirds affirmative vote of all members of the NEMA Group or authorized Technical Committee, the above voting eligibility may be expanded to other members.

3.5.2.6 No Change in Vote After Expiration

No member may change its vote given by letter ballot after the expiration of the voting period. Any member may change its vote within the voting period unless the member has specifically waived the right to do so by statement on such letter ballot.

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3.5.2.7 Limit on Immediate Action

In any case where authority to take any action is requested by letter ballot, such action may be taken immediately upon return of the number of ballots needed to authorize such action, if the letter ballot contained a notice of intention so to act and if each of the returned ballots so needed to authorize such action contains a waiver of the right to change the vote made thereby.

3.6 Required Vote for NEMA Group Approval

A technical publication, when presented to any NEMA Group or authorized Technical Committee for approval, shall require the affirmative vote of at least two-thirds of the votes cast in the affirmative or negative, unless otherwise specified in these procedures.

Any fraction equal to or less than one-half shall be disregarded, and any fraction greater than one-half shall be taken as one in determining the number of affirmative votes required for adoption.

In lieu of a letter ballot, a standard proposal may be approved at a NEMA Group or authorized Technical Committee meeting, provided 100% of the NEMA Group or authorized Technical Committee membership is present. Other technical publications may be approved at a NEMA Group or authorized Technical Committee provided that a quorum is present.

3.7 Review of Approval and Opportunity for Reconsideration

3.7.1 Review of Approval

A proposed technical publication approved by letter ballot or at a meeting shall be submitted to C&S for approval, subject to the provisions enumerated below:

a. Where the votes of a successful ballot are not accompanied by comments, the appropriate NEMA staff may, prior to the next meeting of the NEMA Group, submit such proposed technical publication to C&S.
b. Where there are votes accompanied by comments, the proposed technical publication and result of the letter ballot shall be referred to the Technical Committee or its delegated Working Group or Task Force and the comments reviewed and resolved within 30 calendar days following completion of the letter ballot.
    I. If after due consideration the Technical Committee cannot resolve all negative comments of a successful ballot, the appropriate NEMA staff shall submit the proposed technical publication to C&S. C&S may request written comments or oral presentations from both sides of the issue to assist in the committee's review. (Procedures for the submittal to and hearing by C&S are provided in Appendix D.)
    II. A comment may be withdrawn or, at the option of the member, changed to an affirmative vote in writing or by a statement in the minutes of a meeting.
    III. If resolution of comments necessitates substantive changes to the technical publication, such changes shall be distributed for at least a 7-calendar day recirculation ballot. Voting members may choose to respond, reaffirm, or change their vote.
    IV. If comments accompanying all negative votes on the letter ballot are so withdrawn, the appropriate NEMA staff may, prior to the next meeting of the NEMA Group, submit such proposed technical publication to C&S.

    Note: Comments by members of affected NEMA Groups shall be handled in the same way as comments received by members of the sponsoring NEMA Group.

c. The result of a letter ballot on a proposed standard or technical publication, together with such further action as may have been taken thereon, shall be reported to the NEMA Group.

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3.8 Revisions, Withdrawals, and Reaffirmations

Any change in, withdrawal of, or reaffirmation of any standards and technical publications shall be subject to the same procedure as is followed when a standard is submitted for adoption.

3.9 Statement in Foreword of Technical Publication

Upon publication of a proposed standard or revision after approval by C&S, the Foreword to the applicable NEMA technical publication shall contain the following statement, or equivalent:

In the preparation of this technical publication input of users and other interested parties has been sought and evaluated.

Inquiries, comments, and proposed or recommended revisions should be submitted to the concerned NEMA Group through the following:

C&S Secretary
National Electrical Manufacturers Association
1812 North Moore Street, Suite 2200
Arlington, VA 22209

4 Approval Procedures by C&S

4.1 C&S Approval Required

All actions on standards or technical publications, including approval, revision, reaffirmation, withdrawal, or placing in stabilized maintenance, of NEMA Groups, Councils, or Committees and authorized Technical Committees of the Association shall be subject to the approval of C&S.

4.2 Criteria Applied by C&S

In its review of proposed standards or technical publications, C&S shall consider whether:

a. The technical publication is in harmony with the policies of NEMA standardization activities and has been developed according to the procedures contained in this manual and in the NEMA Constitution and By-Laws.
b. The interests of all affected NEMA Groups have been considered.
c. The technical publication is technically sound and accurately drawn.
d. Any recommendations should be made to NEMA Counsel concerning compliance of the technical publication with NEMA policies and procedures.
e. The record presented by the NEMA Group proposing the technical publication shows that adequate consideration has been given to user needs.

If referral to other NEMA Groups is not necessary and the technical publication also complies with the criteria above, C&S shall approve the proposal for publication as a NEMA technical publication.

4.3 Assent by Other Concerned NEMA Group(s), Council(s), or Committee(s)

C&S may determine that a proposed standard is of possible concern to other NEMA Groups of NEMA and refer it to them before taking action on approval, if such distribution did not occur at project initiation or during ballot.

When a technical publication proposed by one NEMA Group is referred to another NEMA Group by C&S, that other NEMA Group shall be given a period of at least 30 calendar days to reply. If no reply is received within that time, C&S may assume that the NEMA Group has no interest or no objection to the proposed standard. If there is dissent, negative comments must be addressed by the NEMA Group

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originating the proposed standard prior to resubmittal to the committee. Comments shall be handled in accordance with the appropriate procedures.

4.4 Reconsideration of C&S Decision

Any NEMA member may request the reconsideration of a decision made by C&S. The request for reconsideration of a decision must be submitted in writing to the secretary of C&S within 14 calendar days of the date of notification of the decision, and it must state the basis for which reconsideration is requested as provided in this Section.

The request for reconsideration will be considered by the Officers of C&S. The basis for the request for reconsideration must be technical in nature and shall be for one of the following reasons:

a) New technical information has come to light since the date that information pertinent to the issue was submitted to C&S (e.g., UL has completed an Outline of Investigation, the findings of which affect the issue). Technical information, which existed prior to the submittal to C&S but was not presented, is not sufficient justification to warrant granting the reconsideration.

b) The member requesting the reconsideration believes that technical information presented to C&S has been misinterpreted by the committee resulting in a faulty decision.

The Officers will consider the request for reconsideration and decide if there is sufficient justification to warrant the reconsideration. If the decision is to grant the request, the request will be placed on the agenda for the next regularly scheduled C&S meeting, and the Officers may, in their discretion, authorize oral presentations, not to exceed 30 minutes in total, by representative interested parties at the committee's next meeting. The Officers shall have the authority and discretion to allocate time for any presentations. If the request is denied by the Officers, the decision will be reviewed by the entire C&S by electronic ballot or at the next meeting for confirmation of the Officers action. If confirmed, the member will be so informed. Pending confirmation by C&S, the decision of the Officers is final.

If the request for reconsideration is granted by the Officers, all materials to be presented to C&S must be presented to the secretary 14 calendar days prior to the date at which the reconsideration will be heard.

C&S shall find in one of two ways:

1) The committee may find in support of the arguments for reconsideration, in which case it will need to amend its initial decision on the matter; or
2) The committee may find in opposition to the arguments for reconsideration, in which case its initial decision on the matter stands.

C&S may reach a decision during the meeting or, if additional time is required, the committee will have up to 14 calendar days following the meeting to reach its decision.

5 Provisional Standards

5.1 Purpose

Standards may be acted upon in accordance with the provisions of this section in those cases in which the interested NEMA Group believes that prompt action is required to meet immediate industry needs or address emergency situations.

5.2 Procedure

A Provisional NEMA Standard, which may replace one or more standards, shall be developed by the NEMA Group in accordance with the preceding rules, except:

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a. the voting period shall be at least 14 calendar days,
b. a majority of NEMA Group members voting shall be required for approval, and
c. The resolution of any comments received may be less formal than that required to resolve comments for a NEMA Standard. Any substantive changes to the document after ballot shall be distributed to the NEMA Group for concurrence before submittal to C&S.

5.3 Approval of Officers of C&S and Appeal

When the vote is completed, the results shall be forwarded immediately to the officers of C&S. All Provisional NEMA Standards shall be subject to the approval of the officers of C&S and confirmed by the full committee at the next meeting. Any interested member shall have the right to appeal per the provisions of this policy.

5.4 Publication

Provisional NEMA Standards, approved in accordance with this Section, shall be published in any form desired or determined by NEMA.

5.5 Identification of Provisional NEMA Standards

Provisional NEMA Standards shall be identified by the word “provisional” placed in brackets preceding the number of the standard.

5.6 Review of Provisional NEMA Standards

All Provisional NEMA Standards shall be subject to review by the full C&S at its next meeting, and annually thereafter. The provisional period for such standards shall be two years. The NEMA Group shall submit the document for approval as a NEMA standard within two years of C&S approval. A Provisional NEMA standard shall be automatically withdrawn two years after initial approval if no action is taken. There shall be no extension period granted for Provisional NEMA standards.

6 Contents of NEMA Technical Publications

A NEMA technical publication shall contain a combination of the following items, except that a NEMA Adoptive Standard shall comply with the rules and procedures of the standards organization responsible for its development.

6.1 Scope

A clear, concise, and comprehensive statement of the coverage of the technical publication shall always be included.

6.2 Definitions

If items used in the standards require definition, the definitions shall be included as a separate part of the Technical Publication.

6.3 General

General standards, when used, are those having broad applications to the products covered by the Technical Publication and not otherwise classified.

6.4 Rating

Rating standards, when used, include specific ratings of, or methods of rating, the equipment in such

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units or measurements as are appropriate.

6.5 Manufacturing

Manufacturing standards, when used, include requirements for items such as construction, materials, dimensions, provisions for mounting, spacings between live parts, precautionary labels, and nameplate markings. Standards for materials may refer to tensile and compressive strengths, dielectric strengths, insulation resistance, and other pertinent physical properties.

6.6 Dimensions

Where dimensions are given for interchangeability purposes, alternate dimensions satisfying the other provisions of the Technical Publication may be capable of otherwise equivalent performance.

6.7 Performance

Performance standards, when used, cover characteristics such as temperature rise, interrupting capacity, voltage regulation, speed regulation, number of operations without deterioration, and the ability to withstand specified conditions.

6.8 Testing

Testing standards, when used, include procedures for tests to determine compliance with manufacturing ratings and performance standards included in testing standards.

6.9 Marking

Marking standards, when used, generally require the manufacturer’s symbol and identification.

6.10 Application

Application information for the product may be included as part of the general standards or as a separate part of the NEMA Technical Publication.

6.11 Appendices

All appendices, which may include text, figures, and tables, are designated as Authorized Engineering Information.

6.12 References to Brand-Name Products

If it is necessary to refer to a particular device, a generic description should be used rather than a brand-name reference, unless such reference is essential for technical reasons and has been approved by Counsel.

7 NEMA Standardization Policies

7.1 Illegal Use of Standards

NEMA standards shall not be written so as to attempt to fix prices, exclude competition from the marketplace, curtail production, restrain trade, or otherwise be in conflict with U.S. antitrust laws.

7.2 Voluntary Adherence to Standards

Adherence or non-adherence to a NEMA standard shall be left to the individual discretion of every

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manufacturer, unaffected by agreements, understandings, or direction of any type by the Association.

7.3 Engineering, Technical, and Safety Considerations

NEMA activity in the field of standardization shall be confined to the definition of the engineering, technical, and safety characteristics of electrical products within the scope of NEMA.

7.4 Commercial Practices

NEMA standards shall not include provisions which are a part of the commercial relationship between the manufacturer and the purchaser, such as warranties, allocation of the risk of loss, conditions of acceptance or rejection, or the determination of which party is to provide services incidental to the installation of a standard item.

7.5 Standard Practice

The statement that a method or procedure shall be the “standard practice” or any similar statement shall refer only to an engineering, technical, or safety method or procedure and shall not constitute a recommendation or statement of what the actual practices of the various manufacturers should be.

7.6 “Special” Products

NEMA standards shall not include statements to the effect that certain items are to be considered as “special” or any similar term.

7.7 Minimums and Maximums

If a standard is framed to specify a technically adequate level of performance or characteristic, it shall be phrased in such a way as to not constitute a ceiling preventing the development of a superior product. This shall be accomplished by specifying the technically adequate level as a minimum. In the case of certain undesirable characteristics, such as leakage current or radio influence voltage, the technically adequate level shall be expressed as a maximum.

In some cases, however, where the minimum or maximum of a whole class is inappropriate due to the complexity of the relationship among the various characteristics of the product, or because of other valid technical or engineering reasons, it is permissible to fix on specific or preferred ratings. A NEMA standard must present an adequate number of ratings so that the field is adequately covered and no exclusion or restriction takes place.

7.8 Inclusion of Products

NEMA standards shall ordinarily include all technically adequate equipment in the field; that is, all products which fall within the definitions or the criteria of the standard.

Note: There may be certain limited circumstances, such as interchangeability standards, where not all technically adequate products need necessarily be included.

7.9 NEMA patent policy - Inclusion of Essential Patent Claims in NEMA Standards

There is no objection in principle to drafting a NEMA standard in terms that include the use of an Essential Patent Claim if it is considered that technical reasons justify this approach.

No participant in the development of a NEMA standard or proposed NEMA standard shall knowingly conceal from NEMA or the other firms or persons participating in the development of a NEMA standard or proposed NEMA standard any patent or published patent application containing an Essential patent claim

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that the participant (or any Affiliate) owns, controls, or has the ability to license.

Participants in the development of a NEMA standard or proposed NEMA standard are encouraged to bring to the attention of NEMA any patents or published patent applications with claims believed to be Essential Patent Claims.

If NEMA receives notice that a proposed, revised, or approved NEMA standard may require the use of an Essential Patent Claim not already covered by an existing assurance, the procedures in this Section 7.9 shall be followed.

7.9.1 Definitions

7.9.1.1 Essential Patent Claim

An “Essential Patent Claim” means a claim contained in a patent or published patent application, the use of which is required to comply with the mandatory portions of the normative clauses of a NEMA standard or proposed NEMA standard when there is no commercially and technically feasible non-infringing alternative. An Essential Patent Claim does not include any claim that is essential only for enabling technology or any other claim, even if contained in the same patent as the essential patent claim.

7.9.1.2 Knowledge or Knowingly

“Knowledge” or “knowingly” means or refers to the actual personal awareness by an individual of information relating to a particular matter. Knowledge shall not be deemed to include knowledge held by other personnel of the relevant individual participant’s sponsor or employer; *provided however,* that such sponsor or employer will not deliberately withhold relevant information from individual participants in NEMA standardization activities for the purpose of avoiding disclosure or licensing under this policy.

7.9.1.3 Participant or Individual Participant

“Participant” means a NEMA member of a NEMA Group authorized to develop a NEMA standard, and it also refers to an individual participant. “Individual participant” means the individual person representing or employed by a participant in the development of a NEMA standard.

7.9.1.4 Affiliate

“Affiliate” means an entity that directly or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with such entity. “Control” means ownership of or ability to direct more than 50% of the voting power of a corporation or other organization.

7.9.1.5 Development

“Development” means the entire effort in proposing, drafting, meeting and discussing, voting upon, revising, and reaffirming a NEMA standard or proposed NEMA standard.

7.9.2 Patent Requirements

7.9.2.1 Patent Search

Participants in the development of a NEMA standard or proposed NEMA standard do not have an affirmative duty to search their patent portfolio to determine if they own a patent containing an Essential Patent Claim.

7.9.2.2 Statement by Patent Holder

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NEMA shall receive from the patent holder, or a party authorized to make assurances on its behalf, a written or electronic statement containing one of the following assurances:

A. A general disclaimer that the party does not hold and does not currently intend to hold any Essential Patent Claims; or

B. An assurance 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 NEMA standard either:

1.) under reasonable terms and conditions that are demonstrably free of any unfair discrimination; or

2.) without compensation and under reasonable terms and conditions that are demonstrably free of any unfair discrimination.

Such assurance shall indicate that the patent holder (or authorized party) will include in any documents transferring ownership of patents subject to the assurance provisions sufficient to ensure that the commitments in the assurance are binding on the transferee, and that the transferee will similarly include appropriate provisions in the event of future transfers with the goal of binding each successor-in-interest.

The assurance shall further indicate that it is intended to be binding on successors-in-interest regardless of whether such provisions are included in the relevant transfer documents.

7.9.3 Timing of Disclosure Statements

For so long as a participant is a member of NEMA or, an individual participant in NEMA standards development activities, a participant in the development of a NEMA standard or proposed NEMA standard shall continue to satisfy the requirements. At the time a NEMA standard or proposed NEMA standard is submitted for approval by letter ballot or for a vote, the participant shall provide the written statement required.

7.9.4 Record of Statement

A record of the patent holder's statement shall be retained in the files of NEMA and may be made publicly available at NEMA's election.

7.9.5 Notice

When NEMA receives assurance from a patent holder, 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 any such claim(s) or of any patent rights in connection therewith. If a patent holder has 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, then details may be obtained from NEMA.

7.9.6 Responsibility for identifying patents

NEMA is not responsible for identifying patents or published patent applications for which a license may be required by a NEMA standard or for conducting inquiries into the legal validity or scope of those patents that are brought to its attention.

7.9.7 Discussions of patent issues at technical committee meetings

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At technical committee meetings, firms or persons shall not discuss the following:

(a) the construction, validity, or essentiality of patents or patent claims;
(b) specific license rates, licensing costs, terms or conditions, or the relative costs of different technical approaches to the standard; or
(c) the status or substance of ongoing or threatened patent litigation.

7.10 Metrication

NEMA supports voluntary metrication of standards. Each NEMA Group, Council, and Committee is required to make an informed decision whether to metricate its standards. NEMA Groups shall identify standards that will utilize the metric system and determine whether "soft" (exact conversion from imperial to metric) or "hard" (change product dimensions to conform more rationally to metric measurements) conversion is to be used.

Standards outside the control of the NEMA Group shall be brought to the attention of those responsible for the standard. Additionally, each NEMA Group shall consider the impact of metrication of their standards on other NEMA Groups.

7.11 Accessories

NEMA standards for accessories shall be completely justified by engineering, technical, or safety considerations, and shall be limited to accessories genuinely needed for the proper and safe operation of a product covered in a NEMA Technical Publication.

7.12 Reviewed by NEMA Staff

All NEMA standards shall be reviewed by appropriate NEMA staff for compliance with NEMA policies and the law prior to their approval by C&S.

7.13 Copyright

NEMA owns the copyright in all NEMA technical publications. All participants in NEMA Groups[1] acknowledge and agree that NEMA owns the sole and exclusive copyright in all NEMA technical publications, including but not limited to NEMA standards, specifications, reports, and other technical documents (each a "Technical Publication") as collective works and compilations authored and published by NEMA, in which NEMA shall be the author of each Technical Publication as works made for hire pursuant to U.S. Copyright law. Participation in the development of any NEMA Technical Publication, including, but not limited to, submission or contribution of designs, ideas, concepts, plans, creations, work product, comments, text, data, diagrams, sketches, drawings, models, images, manuals, rules, directions, diagrams, calculations, designs, or other materials or content, and all drafts thereof (each, a "Contribution"), does not confer upon any participant any ownership interest in, authorship of, or joint work or joint authorship rights in any NEMA Technical Publication. To the extent that any Technical Publication does not qualify as a work made for hire, each participant expressly and irrevocably assigns any and all rights, including any copyright authorship or ownership rights, that the participant may own in any Technical Publication and expressly and irrevocably waives and relinquishes any present or future claim of ownership or authorship of any Technical Publication, including any claim that any NEMA Technical Publication, or any portion thereof, constitutes a joint work or that the participant is a joint author or co-owner of copyright in such publication, and any rights to attribution or any profits obtained from the exploitation of the Technical Publication. Participants as well as others who submit Contributions to NEMA for inclusion in a NEMA Technical Publication are solely responsible for determining whether disclosure of any Contributions that they submit to NEMA requires the prior consent of other parties and, if so, to obtain it.

[1] As defined in Section 2.1.1 of this Manual.

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All Contributions from previously published sources under an explicit claim of copyright ownership (e.g., © or “Copyright”) that are not public domain shall be accompanied by a copyright permission form that is completed by the copyright owner, or by a person with the authority or right to grant copyright permission. The copyright permission form shall outline the specific material being used and the planned context for its usage in the NEMA Technical Publication.

The following terms shall apply to any Contribution regardless of source:

a.) As a condition of submission of a Contribution in connection with the development of a NEMA Technical Publication, the contributor hereby acknowledges and agrees that any Contributions that have heretofore been produced and submitted to NEMA or shall hereafter be produced and submitted to NEMA for inclusion in a NEMA Technical Publication, and all materials contained therein or prepared therefor, were intended at the time of creation, submission, and contribution to be, and shall be deemed to be Work(s) Made For Hire (as defined under the U.S. Copyright Law) on behalf of NEMA, and as such shall be exclusively owned by and for the benefit of NEMA.

b.) In the event that it should be determined that the Contributions or any portion thereof do not qualify as a Work Made for Hire, the contributor hereby irrevocably assigns, transfers, and conveys to NEMA, without additional consideration, all right, title, and interest it owns worldwide in and to the Contributions, including all copyrights and all rights of any kind, including without limitation any revisions, modifications, or derivative works thereof.

c.) The contributor acknowledges and agrees that it is the intention of the contributor that NEMA shall own exclusive authorship in any NEMA Technical Publication, regardless of any Contribution that contributor makes to the development or creation of the NEMA Technical Publication, and that contributor retains no rights, title, or interest in (i) the Contribution or (ii) any NEMA Technical Publication or any portion thereof, including any material derived from the Contribution. To the extent any rights in the Contribution are deemed not to have been assigned, the contributor hereby grants to NEMA an exclusive, perpetual, irrevocable, worldwide, royalty-free, transferable, and sublicensable license to exploit the Contribution for NEMA’s lawful purposes and to exercise all exclusive rights of a copyright owner under U.S. Copyright law, without restriction.

d.) The contributor irrevocably waives, and agrees never to assert, any claims to royalties or other monetary compensation in connection with its submission of any Contribution or any exploitation of the NEMA Technical Publications, as well as any moral rights, droit moral, attribution rights, integrity rights, or similar rights, and any claims of authorship, ownership, infringement, or entitlement to compensation, with respect to the Contribution and/or any NEMA Technical Publication to which it was contributed, and shall not object to any use thereof by NEMA or its licensees.

e.) The contributor agrees not to challenge and agrees to be estopped from challenging: (i) NEMA’s exclusive and complete unrestricted ownership in the Contribution and/or any NEMA Technical Publication to which it was contributed, and (ii) the validity, or enforcement of any rights in the Contribution or any NEMA Technical Publication. Without limiting any other provisions in this paragraph, contributor agrees to execute and deliver any further documents, instruments or agreements and take any other actions and steps as may be necessary or reasonably requested by NEMA and provide reasonable assistance to confirm, perfect, or enforce NEMA’s rights in the Contribution or NEMA Technical Publication.

f.) The contributor represents and warrants that (i) it has full power and authority to make the foregoing assignment and waivers; (ii) to the best of his or her knowledge, the Contribution does not infringe or misappropriate any third-party rights; and (iii) no prior agreements or obligations are in conflict with this assignment.

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As used in this paragraph, “Public Domain” shall mean material that is no longer under copyright protection or did not meet the requirements for copyright protection under U.S. law at the time of creation.

8 Interpretations of NEMA Standards

All inquiries requesting interpretation of the language of a NEMA standard shall be submitted in writing and referred to the NEMA Group, Council, Committee, or Technical Committee which developed the standard. The appropriate group should determine first whether the standard was intended to answer the question posed. If so, the committee shall formulate a response supported by explicit technical reasoning which shall be submitted to the NEMA Group chair for approval and to the Technical Department and NEMA Counsel for review. Following approval and review, the response shall be transmitted to the inquirer. Upon request of either NEMA Counsel or the Technical Department, the proposed response shall be reviewed by C&S prior to transmission to the inquirer. If the group determines that the standard was not intended to answer the question posed, the inquirer shall be so advised.

All requests for interpretation of the language in approved NEMA standards and technical publications shall be submitted requests in writing directly to NEMA. Requests for interpretation shall be stated in a way to solicit a “Yes” or “No” answer. NEMA shall promptly acknowledge receipt of the request to the requester with written information on the actions that will be taken. An interpretation shall be limited to providing clarification and explanation of the existing standards. Interpretations should not give rise to lengthy explanations that may inadvertently modify or amend the standards. NEMA staff shall advise the requester in writing of the interpretation approved by the consensus body. Interpretations on file should be considered during the next revision of the document.

9 International Standards Adoption

9.1 General

Adoption of International Standards is governed by the *ANSI Policy Regarding Rights to Nationally Adopt IEC and ISO Standards or Otherwise Use IEC and ISO Material*. This policy gives the TAG Administrator with assigned jurisdiction over the ISO or IEC Technical Committees (TCs) or Subcommittees (SCs) which developed the related standard the primary right of adoption or the ability to assign its right to another Standards Developing Organization (SDO). NEMA serves as the TAG Administrator for IEC and ISO TCs and SCs, and as such has the right to adopt relevant standards or to assign those rights to another SDO.

9.2 NEMA Adoption of ISO and IEC Standards

Should a NEMA Consensus Body choose to adopt an ISO or IEC Standard developed by a TC or SC for which NEMA is the TAG Administrator, the process shall be governed by the ANSI Essential Requirements and the NEMA Procedures for the Development of American National Standards.

10 Handling Adoption Requests from Other Organizations

10.1 General

Requests from other organizations to adopt an ISO or IEC Standard developed by a TC or SC for which NEMA is the TAG Administrator should be addressed to the Managing Director, International Standards. Such requests should include the designation and title of the document, the sponsoring TC or SC and reasons for the adoption.

10.2 International and Regional Standardization Committee (IRSC) Consideration

The Managing Director, International Standards will forward the request to the NEMA IRSC for consideration. The IRSC may seek input from TAG Members and NEMA Sections, NEMA Groups,

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Committees and Councils having an interest in the subject matter. TAG and NEMA Members may provide input in favor or in opposition to granting the request and reasons therefore.

10.3 IRSC Decision

Any input received from TAG and NEMA Members shall be distributed to the IRSC for consideration. The IRSC shall consider the input and determine whether to grant or deny the request. The IRSC is not required to provide rationale for its decision. Such a decision will be provided in writing to the requestor. IRSC decisions regarding requests from other organizations are not subject to appeal.

11 Appeals

Technical decisions of any NEMA Group in connection with the technical activities of the Association shall be subject to appeal by any interested member of the Association.

11.1 Initiating an Appeal

To Initiate an appeal, a written Notice of Appeal shall be filed with the Secretary of the Association within 30 calendar days following the decision appealed from. The Notice of Appeal shall contain the following information: (a) the name and address of the party(ies) filing the appeal and the principal contact for the Appellant who will represent the Appellant during the appeal, (b) the identity of the NEMA Group or committee whose decision is appealed (the Appellee), (c) the date of the NEMA Group's or committee's decision, (d) the identity of the entity within the Association to whom the appeal is made, and (e) a statement of the decision which is appealed and a brief statement of the reasons why that decision(s) should be overturned.

11.2 Notification of Appeal to Interested Parties

Upon receipt of a Notice of Appeal meeting the requirements of the preceding paragraph, and no later than 7 calendar days after receipt of the notice of appeal, the Secretary of the Association shall promptly notify (i) the President of the Association, (ii) the Chair of the Appellee, (iii) the Chair of the entity within the Association to whom the appeal is taken that a Notice of Appeal has been filed, and (iv) any other persons, entities or NEMA Group(s) who are known to be interested in the outcome of the appeal. The Chair of the Appellee shall identify to the Secretary a principal contact for the Appellee who will represent the Appellee during the appeal.

11.3 Identification of Appeals Panel

The President, in consultation with the Chair of the Board of Directors, will identify the appropriate committee of the Board of Directors or other entity within the Association from which to establish an appeals panel to hear the appeal in the first instance, and the Secretary will inform the Appellant and Appellee of the entity that will hear the appeal. Appeals panel representatives shall be disinterested members.

11.4 Appellant's Full Statement of Reasons for Appeal

Within 14 calendar days of filing a Notice of Appeal with the Secretary, the Appellant shall file a Statement of Reasons why the decision of the Appellee should be overturned. The Appellant may request from the Secretary a one-time enlargement of the time, not to exceed 7 calendar days days, to file its Statement of Reasons in accordance with this paragraph. The Secretary shall promptly provide a copy of the Statement of Reasons to the Appellee. A decision of a NEMA Group may be appealed only on the grounds that (i) the decision was obtained by corruption or fraud, (ii) the NEMA Group or committee of the Association improperly refused to receive and consider relevant and material information from an interested member of the Association or the public, (iii) that a procedure or policy of the Association as set forth in its Certificate of Incorporation, by-laws, or the written policies and procedures or resolutions adopted by the Board of

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Directors were not followed, or (iv) that the decision is a violation of applicable law. A decision of an appeals panel hearing the appeal in the first instance may be further appealed to the Executive Committee of the Board of Directors only on the grounds that (i) the decision was obtained by corruption or fraud, (ii) there was evident partiality or corruption by the members of the appeals panel or any of them, (iii) the panel was guilty of misconduct in refusing to receive and consider relevant and material information from an interested member of the Association or the public, or (iv) that a member of the panel should have been disqualified on the ground that they were clearly not a disinterested person.

11.5 Appellee's Response to Statement

Within 14 calendar days of the Appellant filing of a Statement of Reasons with the Secretary, the Appellee shall file its response to the Statement of Reasons and explaining why the decision from which the appeal is made should be upheld. The Appellee may request from the Secretary a one-time enlargement of the time, not to exceed 7 calendar days, to file its Statement of Reasons in accordance with this paragraph. The Secretary shall promptly provide a copy of the Appellee's Response to the Appellant. There shall be no right to file a written reply to the Appellee's response.

11.6 Hearing

The chair of the entity within the Association to whom the appeal is taken shall designate a time, date and place for the hearing of the appeal as soon as is reasonably practical, no later than 30 calendar days following the receipt of the Appellee's response, before an appeals panel is established. For good cause shown, including but not limited to the availability of the panel members and the representatives of the Appellant and Appellee, the time period for the hearing may be enlarged by 30 calendar days. With the permission of the presiding officer of the appeals panel, other persons or entities including nonmembers may submit a written statement, no longer than three pages, of their interest in the appeal and a statement of whether they believe the decision on appeal should be affirmed or overturned. The chair of the entity within the Association to whom the appeal is taken shall have discretion to set limits on the number of persons who may make statements at the hearing. The Secretary shall promptly notify the Appellant, Appellee, and other interested persons of the chairperson's designations and hearing rules. Within 3 calendar days following the setting of the time, date and place for the hearing, the Appellant and the Appellee shall identify to the Secretary the person(s) who will make statements at the hearing on their behalf. The Appellant and the Appellee shall each have thirty minutes (including rebuttal time) to present their respective case to the appeals panel.

11.7 Decision

An appeals panel shall make its decision no later than 14 calendar days following the hearing, unless good cause is shown for an extension. The decision of an appeals panel shall be in writing and state the reasons for its decision.

11.8 Emergency Appeals

In the event of a decision that requires an immediate appeal due to external time constraints on the Association's action with no recourse for an extension of time to accommodate the normal time an appeal would take, an emergency appeal may be lodged with the President for decision. All reasonable efforts will be made to convene an appeals panel in a timely manner. The appeal shall be heard by the President and two disinterested members and shall be final. The authority of an emergency appeals panel shall be limited to affirming the decision appealed from or directing that the Association abstain from action, and its decision shall be based on clear and convincing evidence that the action is not in the best interest of NEMA.

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12 Review of NEMA Technical Publications

NEMA endeavors to keep its technical publications relevant by means of timely revision, reaffirmation or action to stabilize. Obsolete standards shall be withdrawn. NEMA utilizes both periodic maintenance and stabilized maintenance to accomplish this, as outlined below.

C&S shall review NEMA Standards and other technical publications, to determine that none is older than 5 years, unless maintained under stabilized maintenance. The committee shall notify the appropriate NEMA Group 2 years prior to expiration of the 5-year period that NEMA Group action is required.

12.1 Periodic Maintenance

Periodic Maintenance of NEMA technical publications shall be undertaken on a schedule not to exceed five years from the date of C&S approval unless that document has been approved for stabilized maintenance.

A technical publication shall be reaffirmed when no technical changes are needed to update the document. Reaffirmed technical publications shall not include any substantive changes. A technical publication shall be revised when the technical content is relevant but technical changes are needed to update the document. A technical publication shall be withdrawn[2] when the technical content is no longer valid, or when it has been included in another technical document. Withdrawn technical publications are discontinued by NEMA and may be withdrawn with or without a replacement.

12.1.1 Reaffirmation

In addition, a technical document may be reaffirmed by either of the following:

a. In the case of a letter ballot, by an affirmative vote of at least two-thirds of members voting.
b. At a properly called meeting of the appropriate NEMA Group by the affirmative vote of at least two-thirds of the members of the NEMA Group voting. Additionally, it is required that, for standards, all (100 percent) of the members eligible to vote on the subject be present at the meeting.

In either case, reaffirmations are effective upon approval by C&S.

12.1.2 Withdrawal or Extension

If a NEMA Group, following notification by C&S, fails to reaffirm, revise, or withdraw the subject NEMA technical publication, C&S shall take action to withdraw the NEMA technical publication. C&S may, however, for good cause shown, grant annual extensions. No extension of time beyond 10 years from the date of approval shall be granted for action on a NEMA technical publication.

12.1.3 Stabilized Maintenance

The term “Stabilized Maintenance” means a process by which NEMA technical publications can be placed under a ten-year review cycle under certain conditions.

A NEMA Group may recommend that a technical publication be maintained under Stabilized Maintenance if it satisfies the following criteria:

a) The technical publication addresses mature technology or practices, and as a result, is not likely to require revision;
b) The technical publication is other than safety or health related;
c) The technical publication has been reaffirmed at least once;
d) At least ten years have passed since approval or revision of the technical publication;
e) The technical publication is required for use in connection with existing implementations or for

[2] In past versions of the SP&P, the term “rescinded” was used synonymously with “withdrawn”.

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reference purposes.

Approval of Stabilized Maintenance shall follow the same procedures as approval of a new or revised technical publication. A technical publication maintained under Stabilized Maintenance is not required to be revised or reaffirmed on a routine cycle. It shall be subject to review of such status on a ten-year cycle. If the NEMA Group agrees that the technical publication shall continue to be maintained under Stabilized Maintenance and does not require revision or withdrawal, the appropriate NEMA staff shall notify C&S.

If a written recommendation is made at any time that a technical publication under Stabilized Maintenance requires revision or should be withdrawn, that recommendation shall be considered by the NEMA Group within 60 calendar days of receipt. Recommendations shall include a rationale to withdraw or revise and shall not be dismissed because it does not suggest a specific revision.

13 Standardization Activities with Outside Bodies

NEMA voting participation in technical groups of outside organizations is approved and overseen by C&S or IRSC. Hereafter, C&S and the IRSC are referred to as the “appropriate SCAPC Standing Committee”. The “appropriate SCAPC Standing Committee” is that which appoints a NEMA representative. An individual approved for such official NEMA activity is designated as “NEMA Representative.” The appropriate SCAPC Standing Committee oversees the conduct of its NEMA Representatives and directs their votes, when appropriate. See Appendix C for more detail about NEMA Representatives to Outside Bodies.

14 Revisions of Rules, Policies, and Procedures

Revisions of any of the rules, policies, and procedures included in this manual require approval by SCAPC. All suggestions for revision to this manual shall be addressed to the Vice President, Standards and Technical Affairs for consideration.

15 Appendices

All appendices included herein are NEMA standards development governance documents and shall be considered part of the *Standardization Policies and Procedures of the National Electrical Manufacturers Association*.

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Appendix A, Notice and Disclaimer for NEMA Technical Publications

The information in this publication was considered technically sound by the consensus of persons engaged in the development and approval of the document at the time it was developed. Consensus does not necessarily mean that there is unanimous agreement among every person participating in the development of this document.

NEMA standards and guideline publications, of which the document contained herein is one, are developed through a voluntary consensus standards development process. This process brings together volunteers and/or seeks out the views of persons who have an interest in the topic covered by this publication. While NEMA administers the process and establishes rules to promote fairness in the development of consensus, it does not write the document and it does not independently test, evaluate or verify the accuracy or completeness of any information or the soundness of any judgments contained in its standards and guideline publications.

NEMA disclaims liability for any personal injury, property, or other damages of any nature whatsoever, whether special, indirect, consequential or compensatory, directly or indirectly resulting from the publication, use of, application, or reliance on this document. NEMA disclaims and makes no guaranty or warranty, express or implied, as to the accuracy or completeness of any information published herein, and disclaims and makes no warranty that the information in this document will fulfill any of your particular purposes or needs. NEMA does not undertake to guarantee the performance of any individual manufacturer's or seller's products or services by virtue of this standard or guide.

In publishing and making this document available, NEMA is not undertaking to render professional or other services for or on behalf of any person or entity. Nor is NEMA undertaking to perform any duty owed by any person or entity to someone else. Anyone using this document should rely on his or her own independent judgment or, as appropriate, seek the advice of a competent professional in determining the exercise of reasonable care in any given circumstances. Information and other standards on the topic covered by this publication may be available from other sources, which the user may wish to consult for additional views or information not covered by this publication.

NEMA has no power, nor does it undertake to police or enforce compliance with the contents of this document. NEMA does not certify, test or inspect products, designs or installations for safety or health purposes. Any certification or other statement of compliance with any health or safety–related information in this document shall not be attributable to NEMA and is solely the responsibility of the certifier or maker of the statement.

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Appendix B, Guide for Members of NEMA Joint Committees of NEMA Groups

The members of a Joint Committee of NEMA Groups (JC) are appointed by the C&S or IRSC, within their respective scopes, to resolve a technical problem or develop a draft of a technical standard, involving more than one NEMA Group. JC members should be appointed in such a way that one Section's position is not favored over another Section's. The JC shall establish how it will determine mutually acceptable solutions.

1. Scope to be Defined

The problem, standard, or the work of the JC is more specifically defined by a committee scope which requires approval of C&S or IRSC.

The nature of the problem assigned to the JC will be described in more or less specific terms in the minutes of C&S or IRSC approving the JC. However, it is often desirable that any such general description of the task be refined into a precise scope outlining an assignment that the JC will be capable of accomplishing within a reasonable length of time.

Therefore, each new JC is requested to review its scope and possibly draft a scope which will more precisely cover its assignment. (Such scope will then be referred by the staff to C&S or IRSC for approval.)

Subsequent activity of the JC will be expected to fulfill and be confined to the scope approved by C&S or IRSC. However, should developments later indicate the desirability of modifying its original scope, the JC or some other NEMA Groups or Committee may at any time recommend such modification to C&S or IRSC.

2. Early Initiation of Activity

Since a JC is generally appointed only as a result of an already apparent need, early Initiation of activity is desirable and is expected by C&S or IRSC. It is the responsibility of the chair of the JC to initiate activity promptly and early suggestions by all members are helpful.

Since more than one NEMA Group is involved in a JC, it is generally important that the JC work toward a solution of the assigned problem or the development of the standard or the other assigned technical task, which will be mutually acceptable to the NEMA Groups represented on the JC. This agreement is often necessary because C&S or IRSC may refer the proposed final report or solution of the problem or proposed standard to the NEMA Group for comment, before taking action to approve the work of the JC.

As work progresses, it is best for the members of the JSC to keep the NEMA Groups informed of the progress and possibly to ask for guidance on major issues or conflicting views that may require resolution within the JC.

The NEMA staff, represented as secretary, will distribute any background material available and, on request of the chair, arrange meetings, prepare agenda, circulate items for written comment, etc., but the staff is not otherwise principally responsible for Initiating action.

3. Annual Status Report by the JC Chair

In order that C&S may be apprised of the progress, a brief progress report is requested each year from the Chair. C&S or IRSC will review all the JC annual reports covering the future need for the JC and whether to continue the length of service.

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4. Technical Reports Processed through C&S or IRSC

The results of the work of a JC will generally be contained in one or more technical reports (not to be confused with the status report in No. 3). When completed by the JC, these technical reports will be referred by the staff to C&S or IRSC for approval. Ordinarily, C&S or IRSC will seek formal concurrence of the NEMA Groups participating in the JC, and possibly others having an interest, before issuing final approval. At this time also, Legal Counsel's approval or comment(s) on the report will be obtained if not already available as a result of Counsel's review of the JC minutes.

Even though the substance of the report may be a recommendation to a NEMA Group or some other body, the report must be made to C&S or IRSC rather than directly to the NEMA Groups. C&S or IRSC, after approval of the report, will refer it to the appropriate body and, if personal contact by the JC with somebody is needed to explain or discuss the report, C&S or IRSC will authorize such contact.

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Appendix C, Instructions to NEMA Representatives Appointed to Serve On Technical Groups Of Outside Bodies

1. Introduction

NEMA voting participation in U.S. or Canadian standards bodies shall be approved by C&S. Decisions concerning management or strategic issues with respect to international or regional standards bodies (not under the scope of C&S) on behalf of NEMA shall be approved by the IRSC.

Because representation is of the whole Association, the NEMA Representative assumes specific duties, obligations, and accountability. These authorized activities have been established to best serve the overall NEMA viewpoint and to promote the interests of all NEMA members. These instructions are to assist the NEMA Representative in carrying out the duties, and understanding the actions expected of the NEMA Representative by the appropriate SCAPC Standing Committee and the members of NEMA. All official NEMA Representatives appointed by the appropriate SCAPC Standing Committee are instructed representatives.

Acceptance of appointment as a NEMA Representative assumes the individual is comfortable with and willing to act under these instructions.

2. Purpose and Objectives

2.1 Purpose

A NEMA Representative on a technical group or committee of an outside body is expected to promote and act for the furtherance and acceptance of established NEMA positions and to vote as instructed by the appropriate SCAPC Standing Committee.

2.2 Objectives

The objectives of a NEMA Representative's participation in an outside technical committee are to monitor and review the activities of the outside organization(s) and to advise the appropriate SCAPC Standing Committee of issues potentially of concern to NEMA Groups and members.

To accomplish these NEMA objectives, the Representative will:

a. Actively promote acceptance of established NEMA positions.
b. Participate in committee activities as required.
c. Conduct or see to the review of documents, statements, and trends of the outside committee.
d. Ensure that the appropriate SCAPC Standing Committee is made aware of all aspects of the issues before the outside body.
e. Assist the appropriate SCAPC Standing Committee in understanding how issues impact NEMA Groups.
f. Recommend to the appropriate SCAPC Standing Committee a position and provide a rationale for this recommendation.
g. Vote as instructed by the appropriate SCAPC Standing Committee.
h. Comply with the NEMA Codes of Conduct and Ethics
i. Comply with this Appendix of the Technical Policies and Procedures
j. Comply with the NEMA Representatives to Technical Committees of Outside Organizations Checklist of Responsibilities (for voting participation in U.S. and Canadian standards bodies)

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3. Requirements and Procedures for Appointment, Reappointment, and Termination

3.1 Appointment of a NEMA Representative

NEMA participation in a technical group or committee of an outside organization is by the appointment of a NEMA Representative by the appropriate SCAPC Standing Committee.

Requests for appointment may come from:

a. Outside organization
b. The appropriate SCAPC Standing Committee
c. Member company
d. Technical Department
e. NEMA Group(s)

The appropriate SCAPC Standing Committee provides opportunities for any NEMA entity to make recommendations concerning the appointment of a NEMA Representative.

3.2 Procedures–Documentation–Initial Appointment

As prerequisites for consideration by the appropriate SCAPC Standing Committee, any recommendation for an Initial appointment must be accompanied by the following:

a. One-page curriculum vitae of the nominee relative to the appointment sought.
b. Statement from the member company or other NEMA entity indicating its intention to support the nominee's participation.
c. Statement from the nominee:
    1) Agreeing to adhere to the NEMA policies and procedures for representatives and this Appendix C of the Standardization Policies and Procedures.
    2) Providing specific statements over and above the curriculum vitae concerning the nominee's knowledge and competence in the technical field of the committee and stating the nominee's association with at least one of the NEMA entities affected by the work of the outside committee.
    3) Acknowledgement of the NEMA Technical Excellence Pledge.
    4) Agreement to abide by the NEMA Code of Conduct and Ethics.
d. Endorsement from a relevant NEMA Group
e. Completed application, if required, by the outside organization.

3.3 Appointment and Reappointment

The recommendation, with the supporting documentation as described in 2) above, is to be sent to the NEMA Technical Department for documentation compliance checking and for addition to the agenda of the appropriate SCAPC Standing Committee. Depending on the vacancies available on the outside group or committee, and the recommendations received, one or more NEMA Representatives may be appointed.

When there are two or more NEMA Representatives, the appropriate SCAPC Standing Committee may designate one of them as chair of the NEMA Delegation.

The appropriate SCAPC Standing Committee will designate an appointment period for each NEMA Representative.

3.4 Review of Representations

NEMA Groups, on at least an annual basis, should review the NEMA representations pertaining to their product interest and submit any comments or recommendations on that representation to the appropriate SCAPC Standing Committee.

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3.5 Termination of Representations

All concerns on the part of the NEMA Groups or members, regarding NEMA representation on outside organizations, are encouraged to be brought to the attention of the appropriate SCAPC Standing Committee prior to any reappointment.

Without any such concerns, at the end of each individual appointment period, the appropriate SCAPC Standing Committee shall notify the current NEMA Representative(s) of their reappointment. The term of such reappointment shall be stated by the appropriate SCAPC Standing Committee. There is no limit to the number of reappointments, unless required by the procedures of the outside body.

Should there be any change in the Representative's status of the relationship with the sponsoring member company (i.e. retirement, job change), the Representative should notify the appropriate SCAPC Standing Committee. The appropriate SCAPC Standing Committee will then issue a broad call for nominations for the position, inviting the incumbent to reapply. For other reason(s) deemed by the appropriate SCAPC Standing Committee as sufficient, the Representative will be notified by the appropriate SCAPC Standing Committee that the Representative's appointment is terminated.

3.6 Principles and Responsibilities of NEMA Representation

a. On issues where the NEMA position has been established, the NEMA Representatives will espouse that position in all stages of the committee's work.

b. Keep the activity within the approved scope of the committee as understood by the appropriate SCAPC Standing Committee and the affected NEMA entities.

   The NEMA Representatives may not participate in any activity on behalf of NEMA beyond that authorized by the appropriate SCAPC Standing Committee. If the scope of the committee should be revised subsequent to appointment, the Representative is required to notify the NEMA Technical Department, so that the appropriate SCAPC Standing Committee can reevaluate NEMA representation.

c. In the preliminary outside committee work, use individual judgment.

   Since the NEMA Representative is selected with assurance of his or her familiarity with the topic and with the NEMA concerns, it is expected that generally the Representative will act on his or her own good judgment in the preliminary stages of the development of the committee's work. On issues for which the Representative does not have expertise, the views of the particular NEMA Groups should be obtained. NEMA staff will assist in this effort. Should any NEMA Representative have a need to formally contact any other NEMA Groups of NEMA, this may be done by contacting the Technical Department. Where differences of opinion between NEMA Groups occur, NEMA staff should ensure that all interested parties are provided with the necessary information to reach a position.

d. Try to arrive at a unified NEMA position before the meeting, within and between affected NEMA entities and among the delegation. To do so:

   - General agreement between the affected NEMA entities and among the NEMA Delegation should be reached apart from the meetings of the outside committee.
   - Principal and alternate shall coordinate their views and positions on all issues to be addressed by the committee. If major differences of opinion should develop between NEMA Representatives, no attempts should be made to resolve such differences during a meeting of the outside committee. If the principal and alternate have opposing positions regarding an

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issue, the representative(s) shall notify the NEMA Technical Department as soon as possible for decision by the appropriate SCAPC Standing Committee.
- If representatives from various NEMA Groups are unable to reach an agreement, the matter should be referred to the NEMA Technical Department for decision by the appropriate SCAPC Standing Committee.

e. Remember that the appropriate SCAPC Standing Committee supervises NEMA work with technical committees of outside organizations.

   The appropriate SCAPC Standing Committee supervises and coordinates all technical standardization work, both within the Association and in outside organizations.

   It is the duty of the NEMA Representative (or of the Chair of the NEMA Delegation) to make a brief report of every meeting of the committee to the Technical Department, reporting the NEMA Representative's attendance at that meeting and summarizing the work in progress, actions taken at the meeting, and the schedule of future meetings.

f. The NEMA Representatives shall abstain when all of the following apply:

   a. there is no established NEMA Technical Position, and
   b. the NEMA Representatives on the group considering the matter cannot agree, and
   c. the appropriate SCAPC Standing Committee cannot be reached for decision.

g. Ask for official instructions from the appropriate SCAPC Standing Committee before any formal votes (e.g., letter ballots, votes included in meeting agendas, etc.).

   Whenever formal action is being taken by the committee requiring voting by the NEMA Representatives, official voting instructions must be obtained from the appropriate SCAPC Standing Committee.

   The exception to this limitation is that voting instructions need not be obtained for outside committee votes on matters which concern only that outside committee's organization and procedures. With the above exception noted, the NEMA Representative should not cast votes on his or her own initiative nor on instructions received from any NEMA Groups. Communications from representatives on matters requiring official action shall be addressed to the NEMA Technical Department and shall not be addressed directly to NEMA Groups. Instructions must not be sent directly to a representative by a NEMA Group or Committee unless the appropriate SCAPC Standing Committee has given specific authorization thereof. All pertinent supporting information that will be helpful to the Association in formulating voting instructions to Association representatives shall be filed with the NEMA Technical Department.

   To secure voting instructions, the NEMA Representatives should write to the NEMA Technical Department requesting such instructions. This should be done as soon as the ballot is received. At the same time, each Representative should give his or her own recommendations.

   In general, a NEMA Representative can only express NEMA positions which are those positions that have been officially adopted by the appropriate SCAPC Standing Committee. The appropriate SCAPC Standing Committee may delegate clearly defined discretion to the NEMA Representative to formulate and express tentative NEMA positions to an outside organization so long as it is indicated that the positions are tentative. The appropriate SCAPC Standing Committee will review them before they become final NEMA positions, and the final positions are reported to the outside organization.

   Although the NEMA Representative is expected to support established NEMA positions, conditions before or during the meeting may cause reconsideration of the original position. In this situation, if substantial new evidence comes to light which, in the Representative's judgment, could have resulted

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in a different outcome had the appropriate SCAPC Standing Committee considered this new evidence, the Representative must restate the NEMA position that had been actually authorized and then abstain from voting. The appropriate SCAPC Standing Committee can be notified in advance of the intended change and authorize a new position. Under no circumstances shall the NEMA Representatives speak against the NEMA position.

h. Send the NEMA Technical Department a copy of all official correspondence to the outside committee or its officials, or other members of the outside committee.

   Copies of the official minutes of all meetings, of drafts of all proposed publications, reports and standards, and of all communications by the NEMA Representative to outside organizations, shall be sent to the NEMA Technical Department. Usually, the Representative finds it feasible to arrange with the secretary of the outside committee to add the NEMA Technical Department to the distribution list for minutes, drafts, ballots, etc., thus leaving the Representative with the need for filing only copies of the correspondence they write.

i. As an Alternate, be an active and supportive participant.

   NEMA Representatives designated as Alternates should attend all meetings of the outside committee to which they are appointed. Alternates are, in many cases, appointed in order to broaden the NEMA coverage. They should feel free to enter into all discussions in meetings of the committee. If the Principal is unable to attend a meeting, they should assure that the Alternate will attend and should ensure that the Alternate is knowledgeable of the material to be discussed as well as the NEMA position on the subject as directed by the appropriate SCAPC Standing Committee. If neither the Principal nor the Alternate is able to attend a meeting, the Technical Department should be notified sufficiently in advance to arrange substitute representation or take other measures as appropriate.

   Alternates should receive all material mailed to the committee members. If an Alternate finds that they are not receiving such materials, the committee secretary should be advised.

j. Problems? Contact the NEMA Technical Department for counsel and to get instructions from the appropriate SCAPC Standing Committee.

   The NEMA Technical Department is the most direct route to the appropriate SCAPC Standing Committee. Often the Technical Department personnel have the information at hand to clear any problems. The Technical Department has accelerated procedures for getting an appropriate SCAPC Standing Committee position/decision so that the schedules of the outside committee should not become a problem.

3.7 Basis of Instructions to NEMA Representatives

3.7.1 Basis of Instructions

Except as otherwise directed, the appropriate SCAPC Standing Committee, in formulating instructions to NEMA Representatives, shall give due consideration to the recommendations of the interested NEMA Groups.

3.7.2 Determination of Interest in Questions Concerned

The appropriate SCAPC Standing Committee should determine which NEMA Groups are interested in any proposed instructions and should seek from those NEMA Groups or authorized Technical Committees, recommendations for instructions to NEMA representatives.

3.7.3 Recommendations of NEMA Groups

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Recommendations of a NEMA Group or authorized Technical Committee shall be determined by a majority vote of those present and voting at any meeting at which a quorum is present, or, in the case of a letter ballot, by the vote of a majority of the members of the NEMA Group or authorized Technical Committee submitting a vote. If the time allotted by the outside body for voting on any technical matter does not permit a 30 calendar day letter ballot, the recommendations of interested NEMA Groups or authorized Technical Committees may be obtained by a letter ballot upon notice of less than 30 calendar days. If the time allowed is not sufficient to permit a letter ballot, the recommendations of interested NEMA Groups or authorized Technical Committees shall be obtained by the appropriate SCAPC Standing Committee by such means as may be available within the time allowed. The opinions of the interested NEMA Groups or authorized Technical Committees may be obtained from the records, or may be expressed on behalf of NEMA Groups by the NEMA Group's chair, or by a NEMA Group Committee designated by the chair for that purpose, subject to confirmation by the NEMA Group.

3.7.4 Filing NEMA Group Recommendations

The recommendations of a NEMA Group shall be filed with the appropriate SCAPC Standing Committee by the appropriate NEMA staff. When there is a difference of opinion within any NEMA Group, NEMA staff shall file a statement of the situation with the appropriate SCAPC Standing Committee.

3.7.5 Basis of Action in Conflicts

When there is a difference of opinion, in the NEMA Group or between two or more NEMA Groups, the appropriate SCAPC Standing Committee shall base its instructions to be sent to Association representatives on engineering consideration of the question and of the majority and minority opinions submitted.

3.7.6 Basis of Action Within the Time Limit

When the recommendations of interested NEMA Groups are not received within the time limit set by the outside organization, the appropriate SCAPC Standing Committee shall formulate official instructions based on engineering consideration of the question and shall notify the appropriate NEMA staff of the interested NEMA Groups of the action taken or not taken.

3.7.7 Appeals Relative to Voting Instructions in Standardization with Outside Bodies

Action of any NEMA Group or the appropriate SCAPC Standing Committee in connection with the formulation of voting instructions to Association representatives cooperating with outside bodies in the development of standards shall be subject to appeal per the Appeals Process in Section 11 of the Technical Policies and Procedures.

3.8 NEMA Funded International Delegates

NEMA Groups may fund travel for delegates to international and regional standardization meetings. These NEMA funded delegates shall agree to comply with the NEMA Technical Policies and Procedures, the NEMA Code of Conduct and Ethics, and the NEMA Technical Excellence Pledge. NEMA funded representatives shall establish written objectives with clearly defined goals and deliverables, subject to approval by the appropriate SCAPC Standing Committee and/or NEMA Group(s). NEMA funded representatives shall provide periodic progress reports to the appropriate SCAPC Standing Committee and/or relevant NEMA Group(s). The reporting schedule shall be approved by the respective committee or group; however, reports shall be submitted no less than annually.

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Appendix D, Procedures for A Hearing by The Codes and Standards Committee

1. Preparations for a Hearing

In preparation for a hearing by the Codes and Standards (C&S) Committee, the following steps shall be taken:

a. The reason(s) for requesting a hearing must be submitted to the Secretary of C&S.
b. The Officers shall review the request for the hearing and, if appropriate, determine the date of the hearing by C&S. The Secretary shall notify the interested parties of the hearing date.
c. Information provided in Procedures pertaining to the time allotted to each side in the hearing to make its presentation shall be communicated by the Secretary of C&S to the individuals who will be presenting the information to C&S. As part of these communications, the secretary will inquire if the amount of time allotted is sufficient for the parties to present their evidence. If a request is made by one of the parties for additional time, the matter will be resolved by C&S Officers.

2. Responsibilities of the Presenters

For a hearing by C&S, the following procedures shall be followed:

a. The individuals that will be presenting evidence at C&S meeting must provide their contact information to the Chair and Secretary of C&S and the NEMA Group Chair at least four weeks prior to the scheduled hearing by C&S.
b. All evidence to be presented by the initiator of the hearing shall be provided to C&S Secretary at least six weeks prior to C&S meeting date to allow sufficient time for C&S members to familiarize themselves with the information to be presented. All evidence to be presented by the other side shall be provided to C&S Secretary at least four weeks prior to the hearing by C&S. Information received will be distributed within three business days to the other side, the appropriate NEMA staff, and C&S members.
c. Information provided less than six weeks prior to C&S hearing date by the Initiator of the hearing or less than four weeks prior to C&S hearing date by the other side will not be allowed to be presented to C&S.

3. Procedures

The following procedures shall be followed for a hearing by C&S:

a. Unless otherwise decided by the C&S Officers and subject to the agreement of both parties, the two sides shall each have up to 30 minutes (including rebuttal time) to present their case. members of C&S will then be provided the opportunity to ask questions.
b. C&S shall be permitted to utilize any independent resource it deems necessary to fully evaluate the information that is presented during the hearing.
c. C&S, upon hearing the evidence of the opposing sides, shall enter executive session (i.e., voting and non-voting members of C&S and NEMA staff) to deliberate and shall choose one of the following options for resolution of the matter:
    1. Uphold the position of the Initiator of the hearing.
    2. Reject the position of the Initiator of the hearing.
    3. Table the discussion.

Note: C&S will make every effort to reach a decision at the meeting, but, if the committee determines that additional time is needed to consider the evidence and to formulate its decision, it may Table the discussion to allow additional time. Should C&S choose this option, it is required to communicate its final decision to both sides within 14 calendar days of the date of the hearing, unless good cause is shown for an extension.

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Appendix E, Sample Patent Disclosure Letter

DATE

National Electrical Manufacturers Association
Attention: Vice-President Standards and Technical Services
1812 N. Moore Street, Suite 2200
Arlington, VA 22209

In accordance with the *NEMA Technical Policies and Procedures*, the undersigned notifies NEMA that the undersigned or an **Affiliate**

- ☐ does
- ☐ does not[1]

own, control or have the ability to license one or more patents or published patent applications containing one or more **Essential Patent Claims** with respect to Title of (Proposed) Standard (including NEMA document designation).

The undersigned identifies the following information regarding any patents or published patent applications that it or an **Affiliate** owns, controls, or has the ability to license and that contain one or more **Essential Patent Claims**:

Part or Section of this Standard that includes the use of an **Essential Patent Claim**:

Patent Reg'n. / Application Number(s) containing an **Essential Patent Claim**:

Licensing Assurance:

With respect to patent claims that are **Essential Patent Claims,** or which may become **Essential Patent Claims**, our licensing position is as follows (check the appropriate boxes below):

☐ 1. A license to such **Essential Patent Claims** will be granted without compensation to all applicants with reasonable terms and conditions that are demonstrably free of unfair discrimination.

☐ (Optional) A sample of such a license or material licensing terms similar to what would be offered is attached to this letter.

☐ (Optional) That such license is offered under a **condition of reciprocity**.

☐ 2. A license to such **Essential Patent Claims** will be granted to all applicants under reasonable terms and conditions that are demonstrably free of unfair discrimination.

☐ (Optional) These reasonable rates will not exceed _____ (*e.g.* a percent of product price or sales, a flat fee, per unit, other).

☐ (Optional) A sample of such a license or material licensing terms similar to what would be offered is attached to this letter.

☐ (Optional) That such license is offered under a **condition of reciprocity**.

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☐ 3. We will not enforce any present or future **Essential Patent Claims** against any person or entity making, using, selling, offering to sell, importing, distributing, or implementing a compliant implementation of the standard.

☐ 4. We are unwilling or unable to grant licenses according to the provisions of either 1. or 2. above or to agree that we will not enforce our **Essential Patent Claims** as described in 3. above. [Note: this option may only be selected if this Disclosure is received by NEMA prior to the distribution of a letter ballot for approval of an standard proposed for adoption, revision or reaffirmation].

We further assure and commit to NEMA that any documents transferring ownership of the patents or published patent applications subject to this assurance will include provisions sufficient to ensure that the commitments set forth herein are binding on any future assignees or transferees. Each such assignee or transferee shall further be obligated to include appropriate provisions in the event of any subsequent transfers, with the goal of ensuring that these commitments remain binding upon each successor-in-interest without interruption.

This assurance is expressly intended to be binding upon all successors-in-interest, irrespective of whether the relevant transfer documents include such provisions.

Our licensing assurance is (check one box):

☐ irrevocable;

☐ subject to a reservation that it may be withdrawn when it is established that there are commercially and technically feasible non-infringing alternatives to creating a compliant implementation of the standard.

Contact Information for entity that owns, controls, or has the ability to license **Essential Patent Claims**:

Contact Name and Title: _____

Company Name: _____

Address: _____

Telephone: _____

Email: _____

SIGNATURE:

By signing this letter, I represent that I have the authority to bind the undersigned to the representations and commitments provided in this letter and acknowledge that the users and implementers of the [proposed] standard identified above are relying upon or will rely upon those representations and commitments.

If it is later discovered that the undersigned (including any Affiliate) does own, control, or have the ability to license patents containing **Essential Patent Claims**, a license will be made available as prescribed in Section 1.2 of the *NEMA Technical Policies and Procedures*.

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Date: _____

Signature: _____

Print Name and Title: _____

Company (if applicable): _____

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APPENDIX F – NEMA Standards Pricing Policy

NEMA by default offers new standards at a reasonable market price, but maintains the authority to offer the standard for free if one or more of the following requirements have been met:

- Safety considerations associated with the installation, operation, and/or maintenance of product outweigh potential revenue from the sale of document
- Product sales are increased demonstrably as a result of offering standard for free
- Number of inferior products in the market are minimized demonstrably by documenting key performance requirements
- Section members vote to provide free document download and free copy privileges to NEMA members where NEMA members are the principal users of the standard

If the standard doesn't meet the above requirements to offer free copies as determined by the Vice President, Standards, then a price shall be charged for both hard copies and electronic copies.

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APPENDIX G – Document Designation Policy

All NEMA IP shall start with NEMA as the first part of the designation, with the exception of American National Standards, which should start with ANSI/NEMA. This is important for branding purposes, as we want users to refer to "*NEMA* XYZ." All NEMA Technical Documents will have a 5-digit numerical identifier that is combined with a designation related to the Section, Division, Council, or NEMA Group that developed it. New designations are assigned by the Technical Services team. Contact Kierra Wilkins for more information. The Technical Services Department will retain a database to track which numbers are available.

a. **Standards**: Standards shall be designated with the name of the Section, Coalition or Committee that sponsored their development. For instance, a Standard sponsored by the High-Performance Building Committee would be designated as NEMA HB 10000. One sponsored by the Motor and Generator Section would be designated as NEMA MG 10001.
b. **Other Technical Documents**: Other technical documents (e.g., white papers, guides, technical position papers) shall be designated using the name of the Sector that sponsored it. For example, a Ballast Section White Paper would be designated NEMA BES 10002, and one sponsored by the Enclosures Section would be designated NEMA ICS 10003.
c. **Engineering Bulletins**: The designation process for Engineering Bulletins does not change.
d. **American National Standards (ANSs)**: For American National Standards developed by former Accredited Standards Committees (e.g., Z535, C12, C136), the designation process does not change. For other ANSs, the designation in a. above applies.
e. **IEC/ISO National Adoptions**: IEC/ISO National Adoptions shall be designated as ANSI/NEMA and the number of the IEC or ISO document (e.g., ANSI/NEMA 60974-1).
f. For documents developed by multiple Sections, Coalitions, or Committees, the Section or Sector code shall be JSC. For instance, a document developed by the Wiring Device and Lighting Controls Sections would be designated as NEMA JSC 10004.
g. All technical documents will have the year developed or revised added with a hyphen "-" after the designation. For reaffirmed documents, after the designation, the year reaffirmed with the letter R preceding the year shall be added in parenthesis. For instance, a document revised in 2024 would be designated NEMA MG 10005-2024, and one reaffirmed in 2023 would be designated NEMA LS 10006-2018 (R2023). For documents placed in stabilized maintenance, after the designation, the year placed in stabilized maintenance with the letter S preceding the year shall be added in parentheses. For instance, a document placed in stabilized maintenance in 2025 could be designated NEMA LES 12345-2016 (S2025).
h. No number will be repeated, and the Technical Department will retain a database to track which numbers are available. However, documents that are developed in a series can be designated with the same main number designation with the addition of a part number. For example, the second document in the NEMA XR 90010 series that was approved in 2022 would be designated as NEMA XR 90010-2-2022.

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APPENDIX H – NEMA Technical Pledge

NEMA Technical Excellence Pledge

As representatives of the electroindustry and medical imaging industry, NEMA members engage in technical activities to apply sound science and rigorous engineering to solve some of the world's toughest problems. We recognize that strong standards, codes, and conformity assessment systems are vitally important to safety, efficiency, sustainability, reliability, public health, and global trade. However, to achieve these outcomes, each participant in NEMA activities must adhere to the following technical principles.

Therefore, as a member of the National Electrical Manufacturers Association participating in technical activities, I hereby pledge to:

Conduct and Ethics

- Act with integrity, honesty, and respect for professional differences while participating in NEMA meetings, representing NEMA in public forums, or engaging with external stakeholders. Members are bound by the NEMA Code of Conduct and Ethics, the Guidelines for Conducting NEMA Meetings, and other relevant technical policies and procedures.

Service to the Industry

- Uphold open, voluntary, balanced, and consensus-based standards, codes, and conformity assessment processes in support of a safe, efficient, sustainable, and resilient electrical system and a quality healthcare system.

- Act in the best interests of the industry. Aggressive and self-interested tactics employed to advance commercial interests diminish the status and influence of our industry and undermine the value of NEMA to all members and are strongly condemned.

- Protect and enhance the reputation of the electroindustry, medical imaging industry, and NEMA to strengthen our collective influence.

Education, Training, and Mentoring

- Work to improve personal industry knowledge and share expertise with peers, especially those new to the industry. Participate in NEMA-led training courses and other professional development activities, in particular those designed to improve understanding of and compliance with relevant rules and procedures.

Confirming a commitment to continue as a NEMA Representative to an outside organization, or submitting a nomination for consideration as a NEMA Representative to an outside organization acknowledges receipt and agreement to follow the above Technical Pledge.

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