Welcome
Jennifer Costley, Chair, welcomed everyone to the meeting of the NSF Joint Committee (JC) for the Electronic Common Criteria Standard.

Andrea Burr, NSF, conducted Roll Call using the Joint Committee Roster and asked individuals on the call to confirm their attendance. Burr confirmed that quorum was reached. 26 of 42 voting members were in attendance, plus observers. The attendance record is located at the end of this document.

Review Agenda
Costley reviewed the agenda (below) and noted some changes since it was distributed:

- A new agenda item was added: filling TG Chair openings
- 2 agenda items were removed from the agenda; the results of the electronic straw ballots for the product transport and F-GHG criteria will not be reviewed on the call since the straw ballots are still open.
- The JC will still consider 2 criteria for approval to move into the draft standard: one on corporate social responsibility and one on supplier environmental management systems, but the CSR criterion has been renamed as indicated on the agenda.

Costley asked if there were any other modifications or additions to the agenda. There were none. Costley asked if there were any objections to accepting the agenda with modifications. Hearing none, the agenda was approved.

Agenda
- Welcome
- Roll Call
- Anti-Trust Statement
- Review/Approval of Meeting Agenda
- Approval of Meeting Summaries
  - March 19, 2020
- Chair Updates
  - Updates on Virtual face to face
  - Meeting schedule
  - Filling TG Chair openings
  - Review progress on criteria
  - Straw ballots reminder
    - GHG from product transport
    - F-GHG
  - Issue Paper #13 (Chris Cleet/ITI)
- Criteria Discussion
  - Corporate Social Responsibility
9.1.1 Manufacturer Requirements for Suppliers: Labor and Occupational Health and Safety (formerly Manufacturer Supplier Code of Conduct) and Appendix

<table>
<thead>
<tr>
<th><strong>Environmental Management Systems</strong></th>
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<tr>
<td>8.2.1 Required – Third party certified EMS for final assembly facilities</td>
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<tr>
<td>JC Decision expected to move into draft standard</td>
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- Next Steps and Action Items:
  - Upcoming Meeting Schedule
- Adjourn

**Approval of Meeting Summary**
Costley asked if there were any comments or revisions to the March 19, 2020 Meeting Summary. There were none.

**Motion:** Costley asked for a motion to approve the March 19th, 2020 Meeting Summary.

- a) Motion: Susan Herbert
- b) Second: Mary Rose Nguyen
- c) Consensus: All in favor – no objections; meeting summary approved by consensus.

**Chair Updates**
Costley opened this agenda item by explaining a change in the name of the item from “Governance Team Updates” to “Chair Updates.” She earlier received some concerns from JC members that the so-called Governance Team was making recommendations that impacted the standard, and a request to add additional stakeholders to the Governance Team. She decided instead to ensure that the role of what was previously referred to as the “Governance Team” was purely administration and project management and to rename the group the Project Team. In the past, the team had developed some recommendations that were subsequently discussed and approved by the JC. Going forward, no governance items will be taken up by the team. NSF procedures and the NSF organization, which includes the Chair, Vice Chair and NSF Secretariat, govern the process of developing the standard including all decisions or recommendations that directly impact the standard.

Costley noted the following additional changes:
- For full transparency, all agendas of the Project Team will be posted on the NOW site. A new folder was created, named “Project Team Agendas,” where you’ll find the April 1 agenda and all future agendas.
- As shown on the today’s revised agenda. “Governance Team Updates” has now been replace with “Chair Updates.”
- Since the primary impact on the standard is through the criteria brought out of the Task Groups, she is considering additional ways to include stakeholders in the process of bringing criteria for approval. Some alternatives might be to get TG chairs together and decide what comes to the JC group.
Costley asked if there were any comments or questions.

Clarification was requested on what decisions had previously been made by the Governance Team. Costley emphasized that no decisions were made by the Governance Team. The team had developed some recommendations that were reviewed and approved by the JC; e.g., recommendations on the structure of the standard and recommendations on the scope of the standard (e.g., no new criteria). A member responded that their concern wasn’t the decision but lack of balance on the team. It should have at least one other stakeholder group represented, unless it’s strictly the Chair and NSF.

Burr read the NSF Anti-Trust Statement. Costley asked that the meeting summary reflect that the Anti-Trust Statement was read, and that no concerns were raised.

Meeting Schedule
Costley reviewed the meeting schedule through June, noting that additional meetings may be added depending on progress made on the April 28-29 meeting and an assessment of TG progress. (See Chair Updates April 7, 2020.pdf)

Virtual Face to Face Meeting
Outlook meeting invitations were sent last week for the virtual meeting for the following times:

- Tuesday, April 28, 11:30 am – 5 pm eastern (with break between 1:30 – 2:30 pm eastern)
- Wednesday, April 29, 11:30 am - 5 pm eastern (with break between 1:30 – 2:30 pm eastern.

The agenda will be distributed by April 14, two weeks in advance of the meeting.

Costley reminded:
- TG chairs to submit any criteria for consideration by the JC no later than Friday, April 10. She also asked TG Chairs to notify her (and copy Andrea Burr) after today’s call to let her know what they anticipate will be submitted to help in drafting the meeting agenda. Submittals are requested for criteria approval or to solicit feedback from JC.
- JC members to cancel their hotel reservations if they have not already done so.

Filling TG Chair Openings
Costley reminded the JC of her recent email announcing that two Task Groups – Corporate Social Responsibility and Renewable Energy -- are in need of Chairs, as the past Chair, Andrea Gilders in no longer with the Green Electronics Council.

Costley announced that Peggy Kellen, Director of Policy at Center for Resource Solutions, has volunteered to Chair the Renewable Energy Task Group. CSR is a non-profit working to advance sustainable energy solutions. Costley thanked Peggy for stepping up to lead this TG as it completes its work.

Costley asked for a volunteer to Chair the Corporate Social Responsibility Task Group, or even 2 volunteers, to co-Chair the group. Interested individuals should contact her by COB Friday, April 10.
Costley recognized that these 2 Task Groups will need some additional time to complete their work. She will work with them on a timeline, which will be used to update the project timeline that was reviewed on the March 19 call.

Costley asked if there were any questions. There were none.

**Review progress on criteria**

Costley briefly reviewed the criteria status. The number of approved criteria remain unchanged since the March 19th meeting. One criterion in from the Carbon Footprint & LCA Task Group is out for electronic straw ballot. Today the JC will consider approval of 2 criteria: 1 corporate social responsibility and 1 EMS criterion. (See [Chair Updates April 7, 2020.pdf](#)).

**Straw ballots reminder**

Costley reminded the JC that an electronic straw ballot was launched for 2 criteria following the March 19 meeting -- GHG from product transport and removal of the criterion for F-GHGs in manufacturing. The straw ballots close on April 15.

Clarification was requested on which criteria were out for straw ballot. Costley noted that 1 straw ballot is to remove the F-GHG in manufacturing and other is for approval of the GHG product transport criterion.

**Action Item**

- NSF will send a reminder to JC members to complete the straw ballot.

**New Issue Paper Submission**

Costley informed the JC that an Issue Paper was submitted by Chris Cleet, ITI, regarding the intent of the Standard – specifically to add language and obtain agreement from the JC that NSF 487 should not be developed as a standalone standard. The Issue Paper (#13) has been added to the Issue Paper tracker that is posted on the NOW site to reflect its receipt by NSF. NSF has determined that, as currently written, the Issue Paper is not within scope of the JC, as it requests to specify and restrict how the Standard is implemented. Jessica Slomka, NSF, and Matthew Realff, who is the former Chair of the NSF Council of Public Health Consultants that approves NSF Standards, are working with Chris Cleet to bring the Issue Paper within scope. The Issue Paper will be posted for JC consideration when it is within scope of NSF 487.

Costley asked if there were any questions.

- A clarification was requested on the Issue Paper request, and whether it was constraining the use of the standard. Costley reiterated that the Issue Paper is requesting that the JC consider how NSF 487 should be implemented which is not within the scope of the JC to determine. For consideration by the JC, the Issue Paper needs to be scoped appropriately.

- The status of the Issue Paper submitted by Alex Degher about product scope declarations was requested. Costley said that this Issue Paper is being addressed by the Ad Hoc that is working on the language in the upfront section. The current approach is to include product scope as an overarching concept on how it would apply across the standard, and criteria that are exceptions would include product scoping language.
• Matthew Realff, the Ad Hoc Chair, provided an update on timing. He anticipates that a draft of the upfront sections will be available for discussion at virtual face-to-face meeting. Realff also noted that other intersecting issues need to be resolved before the upfront sections are ready for JC review.

Criteria Discussion

Corporate Social Responsibility
Costley informed the JC that there are two recommendations for consideration and approval from the Corporate Social Responsibility Task Group: criterion 9.1.1 Manufacturer Requirements for Suppliers: Labor and Occupational Health and Safety (formerly Manufacturer Supplier Code of Conduct) and the Appendix. These two recommendations will be taken one at a time.

9.1.1 Manufacturer Requirements for Suppliers: Labor and Occupational Health and Safety (formerly Manufacturer Supplier Code of Conduct)
Costley summarized the status of this criterion. The criterion was reviewed by the JC on the past two calls (March 5 and March 19), where JC members requested modifications. Following the March 19 call, Costley asked JC members to send any additional comments to the TG for consideration. This latest revision reflects modification made by the TG in response to JC member feedback. Costley asked Emma Gates to review the recent modifications.

Gates walked the JC through the modifications. The TG addressed a comment about broadening “Code of Conduct” to encompass different types of supplier requirements and examples were added. The criterion title was changed to reflect the scope.

Costley asked to review the Appendix before considering a motion on the criterion. Gates noted that there was a more recent version, date March 27 version posted on the NOW site.

Gates reviewed the edits to the Appendix, including changing the spelling of “labor” and the addition of a footnote on the transition from OHSAS 18001 to ISO 45001.

Discussion
A JC member asked if the RBA Code of Conduct would satisfy the requirements in the Appendix. It was noted that the requirements are the same as the requirements in 1680.1, and the RBA Code meets 1680.1.

Motion
Costley asked for a motion to approve criterion 9.1.1 Manufacturer Requirements for Suppliers: Labor and Occupational Health and Safety, as presented, to move into the draft standard.

a) Motion: Willie Cade
b) Second: Toni Stein
c) Discussion: There was a request to see the track changes.
d) Consensus: All in favor – no objections; criterion 9.1.1 was approved to move into the draft standard.
An grammatical error was noted in verification requirement b); “is” was changed to “are”. The approved criterion is available [here](#).

**Appendix**
Costley asked if there was any further discussion on the Appendix.

**Discussion**
The origin of the lists in the Appendix was questioned. The labor requirements list was pulled from standard ILO references and exists in other documents and trade agreements, according to Jeff Wheeler who said he drafted the initial list in the 1680.1. The worker health and safety list was pulled from the server standard and is based on the outline of section titles in ISO 45001.

There was a request to add conformance to the supplier requirements in the verification requirements for 9.1.1. Dillon clarified that the required criterion is about providing a supplier requirements document to directly contracted suppliers. Ensuring that suppliers meet the requirements is being addressed in the optional auditing criteria. Concern was expressed that the required criterion raises the bar for all product categories. Is this within scope of the harmonization process? Costley said that it is up to the JC to decide what is within scope. In this case, a piece of an optional criterion was made required, which Costley considered within scope.

**Action Item**
- Patty Dillon will follow up with Jeff Wheeler on the source of the lists in the Appendix, and copy Mary Rose.

**Motion**
Costley asked for a motion to approve the Appendix outlining the labor and occupational health and safety requirements to move into the draft standard.

a) Motion: Mary Rose Nguyen  
b) Second: Holly Elwood  
c) Consensus: There were several objections, including a request for additional time to review the Appendix and its alignment with RBA, and to align the structure of the labor and worker health and safety requirements. Concerns were also raised about the ability of small and medium-size businesses to conform to the criterion, and that it’s raising the bar compared to existing criteria.

Costley referred the Appendix back to the TG.

**Action Items**
- A small group (Mary Rose Nguyen, Kim Holliday, Tim Mann, and Jeff Wheeler) will consider edits to the Appendix.  
- Bart Devos, RBA, will send a mapping of RBA to ISO 45001 for distribution to the JC. [Meeting postscript: the mapping is posted on the NOW website [here](#)]

**Environmental Management Systems**
Costley asked Patty Dillon, TG Chair, to present the TG recommendation to the JC for consideration.

8.2.1 Third Party Certified EMS for Final Assembly Facilities

Dillon referenced the EMS Supplier Criteria document, dated March 25, provided to the JC with the meeting materials. The TG has one criterion recommendation for the JC consideration and approval on today’s call – criterion 8.2.1 Third Party Certified EMS for Final Assembly Facilities. The TG is working on a second supplier EMS criterion that is included in the referenced document for informational purposes only, as it is a work in progress, and is part of the harmonization of the supplier EMS criteria.

Dillon summarized the approach of the TG as summarized in the EMS Supplier Criteria document. The TG is drafting 2 supplier EMS criteria -- 1 required criterion and 1 optional criterion. This approach harmonizes the existing criteria in 2 product categories: computers and mobile phones. The mobile phone standard has a required criterion for final assembly facilities, plus an optional criterion for a broader scope of suppliers. The optional criterion focuses on suppliers of specific components in the product. The computer & display standard includes only one (optional) criterion covering 80% (by number) of suppliers from the top 80% of suppliers (by spend).

Dillon stated that the two proposed supplier EMS criteria are intended to provide the manufacturer with flexibility and blend the approaches of the existing criteria:

- the TG recommendation for a required criterion allows either ISO 14001/EU EMAS certification or 3rd party auditing (e.g., use of RBA VAP audits)
- for the optional criterion, the manufacturer has the choice of two supplier scopes, either the number of supplier facilities, like the computer standard, or suppliers of specific components in the product (like mobile phones). The TG is still working on defining these 2 product scopes so they are equitable.

Dillon walked through the required EMS criterion 8.2.1. This is a TG recommendation for discussion and approval by the JC.

Costley opened the floor to discussion.

Discussion

Several concerns about the required criterion for final assembly facilities were raised, including:

- the requirement for manufacturers is duplicative of the required EMS criterion for manufacturers.
- There are only 2 EMS criteria in the existing standards – one manufacturer and one supplier EMS criterion. This adds a third EMS criterion, which is only in the mobile phone standard.
- This criterion raises the bar for imaging equipment and TVs. These categories currently only include optional criteria.
- Some final assembly sites for modular products, like servers, only do product configuration.
Costley stated that the criterion will be sent back to the TG. She suggested that JC members send their opinions to the TG.

**Next Steps & Wrap Up**
Costley reminded the group of the following:
- The next JC meeting is April 28 – 29.
- JC voting members should complete the electronic straw ballot on the product transport and F-GHG criteria by April 15.

**Adjourn**
Costley asked for a motion to adjourn the meeting.
  d) Motion: Mary Rose Nguyen  
  e) Second: Willie Cade  
  f) Consensus: All in favor – no objections; meeting summary approved

**April 7, 2019 Meeting Attendees**

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<tr>
<th>Company</th>
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<td>Berard, Cate</td>
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<td>Cleet, Chris</td>
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