

**NSF 391 Task group  
On Section 7 Labor  
Meeting Summary-Teleconference  
October 22, 2012**

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Mindy Costello read attendance and antitrust statement. Jim Kendzel had volunteered to be task group chair and ran the meeting. The intent of the meeting was to go through the criteria and provide feedback on each sub-section. Volunteers may be solicited to provide draft language for the group at the next meeting.

There was comment on legal compliance and how it can be complex for reporting. This is covered in section 1.4, there was a suggestion that it not be in all sections separately. The statement is in many standards so companies that are out of compliance do not claim conformance. The purpose is to ask the question of the company claiming conformance. Should these be in each section or leave it to section 1.4 as a requirement to use the standard?

There was concern with the statement on workers compensation rules that differ in state laws. These are complex issues to document that are variable. The issue would be easier to document out-of-compliance as companies receive documentation from the regulatory body for that purpose, not always something that they are in compliance with labor laws. Another suggestion was to review the company's policy for these items. The legality of the policy was challenged in prior cases. The intent is to show the company awareness of the importance.

There was a remaining question on how companies are meeting the requirement in 1.4. Who at a company is making that judgment to claim conformance for the standard? **The Task Group recommended the full JC consider how to comply with criteria in an informational annex for meeting legislation criteria in 1.4.**

Collective bargaining had a comment on whether this was necessary to include as it was regulated. Also there was a question about leaving this in as it is a "hot button". The group felt it was okay to leave in.

Section 7: There were other topics suggested to be in the list in the lead-in paragraph. The sentence that listed the ideas in the section were removed. Additional topics were suggested to be included and will need language to be drafted.

Living wage, equal pay, discrimination and harassment (title 7), access to health care, family and medical leave, minimum wage and overtime, child and forced labor, sweat shops, fair wage, legal right to work in "country they are working in". The employers would have the documentation for their employees as being legal to work in US (I-9 IRS form). The certification to e-verify that employees are not working illegally in US. There is also a federal certification for federal contracts. This could be an example of compliance to the standard (I-9 form) for not having illegal employees.

**Eileen will write some criteria language around this for the group to review.**

**Mindy has language on living wage, equal pay, discrimination and harassment, minimum wage and overtime, child and forced labor, fair wage.**

**Harry will draft language for access to health care, family and medical leave, and sweat shops.**

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There was a suggestion to subtract points where non-compliance activities are not reported. This section covers in many cases when companies comply with the law. The disclosure for non-compliance was important. There are "filings" reports that are required to use to meet standard criteria.

**Eileen will create a list of reports that are able to be used for compliance.**

**The task group recommended the JC consider the opportunity for "take away" points when non-compliance occurs.** This would be under section 1.4 relating to legal requirements and non-compliances.

**The next meeting will be scheduled for November 12th from 12:30pm to 1:30 pm ET.**

Meeting Attendees			
Company	Name	Interest Category	Role
NSF International	Mindy Costello	Other	Secretariat
ABM Industries Incorporated	Alan France	Industry	Member
State of Maryland	Anne Jackson	Public Health / Regulatory	Observer
American Society of Plumbing Engineers	Jim Kendzel	User	Group Chair
Environmental Protection Agency	Harry Lewis	General Interest	Observer
US General Services Administration	Mary Snodderly	Public Health / Regulatory	Member
Green Seal	Brie Welzer	General Interest	Observer
Plumbing-Heating-Cooling Contractors-Natio...	Chuck White	Industry	Member