Food Protection Manager ~~Training, Testing and~~ Certification Committee Bylaws

Preamble

The Food Protection Manager ~~Training, Testing and~~ Certification Committee hereinafter referred to as the Committee, of the Conference for Food Protection, hereinafter referred to as the Conference, exists to carry out charges from the Conference Executive Board, hereinafter referred to as the Board relating to food protection manager training and certification issues and operates within the objectives stated in the Constitution and Bylaws of the Conference.

Article I. Name.

The Name of the Committee is Food Protection Manager Certification Committee.

Article II ~~I~~. Objectives.

Section 1. Systematically identify and address issues concerning Food Protection Manager Certification Programs.

Section 2. Adopt sound, uniform accreditation standards and procedures that are accepted by the Conference.

Section 3. Promote uniformity among all jurisdictions that subscribe to the principles of the Conference by obtaining their recognition and adoption of the Conference Standards for Accreditation of Food Protection Manager Certification Programs.

Section 4. Promote strategies to enhance equivalence among food protection manager certificates issued by certifying organizations.

Section 5. Establish and refine policies and standards to which certifying organizations shall conform.

Article III ~~II~~. Organization and Operation.

Section 1. The Committee is a standing committee within the Conference and as such shall receive its charges from the Board.

Section 2. The Committee shall consider all issues charged to the Committee by the Board. The Committee shall work to develop consensus. The Board may submit charges to the Committee at any time. The Committee is to deliberate the charges expeditiously, or within the time frame determined by the Board or the Committee Chair.

Section 3. The Committee shall use the protocol established in these Bylaws to address its charges from the Board.

Section 4. All Committee recommendations shall be submitted as Issues to the Conference for deliberation. The Committee shall follow the protocol for Issue submission as established in the Conference Bylaws.

Section 5. All issues, intellectual properties, and/or inventions created by the Committee and approved by the voting assembly of the Conference become the property of the Conference.

Article IV ~~III~~. Composition of Organizational Components and Eligibility Requirements for Serving in Official Capacities.

Section 1. The Committee shall be chaired by a Chair and Vice-Chair. The Chair and Vice-Chair shall be appointed by the Chair of Council II and shall be approved by the Board.

Section 2. The Council II Chair shall select the Committee Chair and Vice-Chair. ~~from the following groups that comprise the broad based representation of the Conference: regulatory agencies, industry, academia and consumer groups~~. The Chair and Vice-Chair shall not be selected from the same group affiliation.

Section 3. The Chair and Vice-Chair shall serve until the conclusion of the next conference meeting. At the conclusion of the conference meeting the incoming Council II Chair will initiate the selection process for the Chair and Vice-Chair of the Committee.

Section 4. The Committee Chair and Vice-Chair may serve consecutive terms at the discretion of the Council II Chair. The Council II Chair shall obtain recommendations from members of the Committee on qualified candidates.

Article V ~~IV~~. Committee Structure and Representation.

Section 1. To be eligible to serve on the Committee, individuals must commit in writing to active participation and be approved by the Conference Chair and the Board.

Section 2. The Committee Chair, Vice-Chair, and/or Council II Chair will select committee members from the list of volunteers or recruit volunteers as appropriate to balance the committee as delineated under Article IV. Committee Structure and Representation.

Section 3. The composition of the Committee is a balanced representation of industry, regulatory, academia, certification providers, training providers, and consumers. The Committee shall consist of twenty-eight (28) members in addition to the Chair and Vice-Chair.

Subsection 1. Nine (9) ~~Ten (10)~~ representatives from regulatory agencies:

a. Two (2) ~~Three (3)~~ from State regulatory agencies;

b. Two (2) ~~Three (3)~~ from local regulatory agencies;

c. Two (2) from federal government agencies with retail food program responsibilities.

d. Three (3) ~~Two (2)~~ "At Large" appointments. (*At Large representation – agencies with primary regulatory food safety responsibilities ~~or professional organizations whose mission incorporates a significant public health protection focus~~.)

Subsection 2. Nine (9) ~~Ten (10)~~ industry representatives;

a. Three (3) ~~Four (4)~~ from the foodservice (restaurant) industry;

b. Three (3) ~~Four (4)~~ from the retail food store industry, and

c. Three (3) ~~Two (2)~~ "At Large" appointments. (*At large selections may include professional or trade organizations that directly represent the restaurant, retail food, institutional foodservice and food vending segments of the industry and whose mission incorporates a public health protection component.)

Subsection 3. Three (3) ~~Four (4)~~ certification providers that are accredited by the Conference's accreditation process;

Subsection 4. Three (3) Food Protection Manager training providers;

Subsection ~~4~~ 5. Two (2) representatives from academia, and

Subsection ~~5~~ 6. Two (2) consumer/independent representatives/public members.

Section 4. Committee members will serve a two (2) year term, concurrent with the cycle of the Conference meeting. Committee members are eligible to serve for consecutive terms contingent upon:

Subsection 1. Indication of written interest to serve on the Committee.

Subsection 2. The availability of membership based on the representation requirements set forth in Article IV, Section 1.

Subsection 3. An assessment by the Council II Chair, Vice-Chair, and the incoming Chair of the Committee to ensure a balance between members who have previously served on the Committee and new members.

Section 5. In the event of a surplus or insufficient number of volunteers in a category, the Council II Chair may consult with the outgoing Committee Chair to identify potential candidates for appointment to the Committee.

Section 6. The incoming Chair of the Committee shall make every effort to retain at least 50% of the Committee membership for a continuing term. This retention is recommended due to the complexity of issues, the need to retain continuity of Committee functions and the short time frame between Conference meetings.

Article VI ~~V~~. Committee Organization, ~~and~~ Operation, and Meetings

Section 1. The Committee shall receive its direction from the Board. The Board shall assign the Committee its charges as ratified during the biennial Conference meeting. The Board may assign additional charges to the Committee to ensure that the Conference Standards for Accreditation of Food Protection Manager Certification Programs and accreditation process are administered in a fair and responsible manner.

Section 2. The Committee shall meet at least annually and at the biennial Conference meeting. All Committee meetings are open to anyone to attend. In addition to meetings, the Committee shall schedule conference calls, as deemed appropriate, for addressing issues under deliberation. In the event that sensitive, financial or proprietary information is under consideration by the Committee, the Chair shall have the option to conduct a closed session until the confidential portion of the proceedings has ~~have~~ been concluded.

Section 3. Committee meetings shall be conducted under the direction of the Chair. The Committee Chair shall call and preside at all meetings of the Committee.

Section 4. When the Committee Chair is absent, is unable to act, or refuses to act, the Vice-Chair shall perform the duties of the Committee Chair. When the Vice-Chair acts in place of the Chair, the Vice-Chair shall have all the powers and be subject to all restrictions upon the Committee Chair.

Section 5. A modified Robert's Rules of Order shall provide the framework for conducting Committee meetings and deliberations. The modification will allow some discussion between Committee members without having Chair recognition before entering into the dialogue. The Chair may at any time, request that Committee members be recognized before speaking to maintain an orderly process.

Section 6. Guests and/or observers shall be recognized by a Committee member and/or the Chair before addressing the Committee.

Section 7. In addition to the charges and issues received from the Board, Committee members may submit issues and alternative recommendations to the Committee. Issues and recommendations introduced by Committee members shall be submitted using the Conference format.

- State the problem or issue.
- Discuss the key impacts of the issue on the accreditation process or Food Protection Manager Certification Programs.
- Provide a recommended solution to the issue. All alternative positions to Committee issues must be presented with a clear recommended solution.

Section 8. The Committee Chair may designate ad hoc workgroups to conduct research, study proposals, develop procedures or recommendations related to complex issues and/or charges. Workgroups shall provide written reports and recommendations to the Committee for deliberation.

Section 9. A quorum to conduct Committee meetings and conference calls shall be the presence of one more than half of the filled ~~fifteen (15)~~ Committee positions ~~members~~**.** A Committee quorum shall be considered a sufficient number for voting on issues under deliberations. The decisions resulting from a quorum vote shall be deemed representative of the Committee. In the event of a lack of a quorum, the Chair may vote to make up the quorum.

Section 10. When a quorum of the Committee participates in a meeting or a conference call the Chair may call for a vote by the Committee on the motions before it.

Section 11. Voting. A consensus building decision process will be used. When Committee members are asked to vote, each member will be able to express one of three positions.

- A thumb up indicates agreement with the issue on the floor
- A thumb sideways means the position on the floor is not the member's optimal solution, but they can accept the position
- A thumb down indicates that a member does not agree with the issue on the floor and would like an alternative recommendation considered.

The Committee Chair shall provide an opportunity for the dissenting member(s) to express the alternative position(s). After discussion of these alternative positions, the Chair will call for a final vote from the Committee.

Section 12. The Vice-Chair may voice positions on issues. When the Committee Chair conducts a meeting, the Vice-Chair may vote on all matters before the Committee.

Section 13. The Chair is a non-voting member of the Committee, with the following exceptions. In the event of a tie when the Committee Vice-Chair is not present and the process must go forward, the Chair may cast the deciding vote. The Chair may vote in the event a quorum is needed. In the event of a tie, the Chair may vote as the tie-breaker.

Section 14. The Chair may obtain affirmation from the Committee on some administrative items without proceeding through the formal motion, discussion and voting process defined in Robert's Rules of Order.

Section 15. Committee funding. The Board may allocate funds to the Committee for its charges. These funds may be used to contract the services of outside experts to assist the Committee; attend meetings with potential accreditation entities and other miscellaneous expenses that the Committee must incur, e.g., use of meeting rooms. Funding shall not be allocated to cover an individual Committee member's travel or per diem expenses to attend meetings unless such expenditures are deemed essential to the completion of the Committee's charge. Expenditures to fund a Committee member's travel expenses must receive the concurrence of two-thirds (2/3) of the voting members of the Committee.

Article VII ~~VI~~. Duties of the Committee Chair

Section 1. The Chair, with the approval of the Board and the Council II Chair, shall select Committee members in accordance with Article IV.

Section 2. The Chair, with concurrence of two-thirds (2/3) of the voting members of the Committee, may appoint non-voting Ex-Officio consultants to the Committee in accordance with Article VIII.

Section 3. The Chair shall preside at all meetings of the Committee, except as provided in Article VII, Section 1.

Section 4. The Chair shall coordinate the arrangement of meetings and conference calls.

Section 5. The Chair shall be responsible for distributing to Committee members and other meeting participants an agenda for the meeting or conference call. This agenda may be distributed by email, fax, mail, or other suitable means.

Section 6. The Chair may assign a Committee member, using a rotation basis or other appropriate means among all Committee members, to take minutes during designated meetings and conference calls.

Section 7. The Chair shall be responsible for distributing minutes of all Committee meetings or conference calls in a timely manner, usually within three weeks of the event.

Section 8. The Chair shall be responsible for distributing written or oral reports to the Board detailing the activities of the Committee. The Chair shall be called upon to report at the biennial Conference meeting on the activities of the Committee.

Section 9. The Chair shall provide an annual written Committee budget report to Committee members and the Board.

Article VIII ~~VII~~. Duties of the Committee Vice-Chair

Section 1. In the event the Chair is unable to perform the duties of the Chair, the Vice-Chair shall act as Chair.

Section 2. When acting as Chair, the Vice-Chair shall perform all the necessary duties for the Committee as outlined in Article VI.

Section 3. The Vice-Chair shall perform all duties assigned by the Chair.

Article IX ~~VIII~~. Duties of Committee Members

Section 1. A Committee member's tenure shall be carried out in accordance with Article IV, Section 2.

Section 2. Committee members shall have the responsibility to notify the Committee Chair of their inability to attend a meeting or participate on a conference call at least fifteen (15) days prior to the scheduled meeting or conference call. The member may submit in writing a

designated representative in his/her place to the Chair. This designated representative may vote on issues before the committee.

Section 3. Committee members or designated representative shall have the responsibility to review for comment standards, reports, recommendations, issues or other Committee documents distributed within the time frames designated by the Committee.

Section 4. Committee members or designated representative shall have the responsibility to complete work assignments within time frames designated by the Committee.

Section 5. Committee members or designated representative shall have the responsibility to notify the Committee Chair or the Chair's designee of their inability to complete a work assignment.

Section 6. Committee members that do not participate or provide a designated representative for three (3) consecutive meetings and/or conference calls shall have their continued participation as Committee member assessed by the Committee Chair and evaluated by the Committee. The Committee member may be subject to being removed from their membership position. Removal of a Committee member for failure to perform duties as specified in Article VIII, shall require the concurrence of two-thirds (2/3) of the voting members of the Committee.

Article X ~~IX~~. Committee Consultants

Section 1. The Committee may contract the services of a consultant for issues beyond the scope of the Committee's expertise, if deemed necessary or if charged by the Board. The Committee Chair may identify a consultant or assign a consultant to an ad hoc workgroup with the approval of the full Committee.

Section 2. Contractual obligations for consultant services shall have the concurrence of two-thirds (2/3) of the voting members of the Committee.

Section 3. Committee consultants and Conference appointments to the Accreditation Committee shall serve as non-voting Ex-Officio members of the Committee.

Section 4. Funds for outside consultants shall come from the Committee budget, as determined by the Board.

Article XI ~~X~~. Workgroups

Section 1. The Committee Chair may designate ad hoc workgroups to address the charges of the Board and complete the duties of the Committee.

Section 2. Each workgroup shall select a group leader who is responsible to report group activities to the Committee Chair and Vice-Chair.

Section 3. Workgroups shall report to the Committee Chair and Vice-Chair as determined by the Committee Chair. These reports shall also be disseminated to the full Committee.

Article XII ~~XI~~. Committee Reports

Section 1. The Committee Chair shall submit a status report of the Committee's activities to the Council II Chair no later than thirty (30) days prior to the Board meetings.

Section 2. The Committee Chair shall coordinate the development of a final report of the Committee activities to the Council with recommended actions. The final report shall be done in advance of the Conference meeting as part of an Issue submission. The submitted Issue containing the report shall comply with all the Conference procedures and time lines pertaining to the submission of Issues for deliberation.

Section 3. The Committee Chair, Vice-Chair, or the Committee Chair's designee as specified in writing to the Chair of Council II shall be in attendance when Council II meets during the Conference meeting to present and discuss the Committee's report and any issues submitted by the Committee.

Article XIII ~~XII~~. Amendments

The Food Protection Manager ~~Training, Testing and~~ Certification Committee Bylaws may be altered, amended, or repealed by two-thirds (2/3) vote of the Committee and final concurrence from the Board. An ad hoc task group chaired by the Vice Chair may be appointed by the Chair of the Committee to make recommendations to the Bylaws for consideration by the Board.

CFP Food Protection Manager ~~Training, Testing and~~ Certification Committee Bylaws
Revised Bylaws approved 2010 ~~2004~~ Conference
Revised ~~6/8/2004~~