

**Memorandum of Understanding
Between the Occupational Safety and Health Administration and
the American National Standards Institute**

WHEREAS the Occupational Safety and Health Administration (OSHA) has the statutory authority to develop, promulgate and enforce occupational safety and health standards; and

WHEREAS the Occupational Safety and Health Act of 1970 (the OSH Act) (sections 6(a) and 6(b)(8)) recognizes that national consensus standards producing organizations have an important role in the development of occupational safety and health standards; and

WHEREAS the Act (section 20 (c)) permits cooperative working arrangements between OSHA and private organizations to assist OSHA by conducting studies relating to its responsibilities under the Act; and

WHEREAS OSHA recognizes that the services, facilities, and members of the American National Standards Institute (ANSI) may be of assistance to OSHA in carrying out its statutory responsibilities; and

WHEREAS ANSI is recognized as a coordinating and approval agency for voluntary national consensus standards in the United States and is ready to provide assistance and support in occupational safety and health standards, regulations and related issues; and

WHEREAS ANSI, working through its Accredited Standards Developers, has already demonstrated through the performance of various activities an ability to render technical assistance and support to OSHA in carrying out its statutory authority;

It is agreed that:

ANSI will furnish assistance and support and continue to encourage the development of national consensus standards for occupational safety and health issues for the use of OSHA and others. OSHA will continue to cooperate and assist the ANSI Federation in its mission in a manner consistent with OSHA policy. Such technical assistance and support generally includes but is not limited to the following program activities:

ANSI will encourage its Accredited Standards Developers to provide technical support, as requested, in the development, promulgation and application of OSHA's occupational safety and health standards, such as the preparation and distribution of technical guides, and the development of training curriculums;

ANSI will provide assistance to OSHA, as requested, in connection with the activities of OSHA's standards advisory committees;

As the U.S. member body to the International Organization for Standardization (ISO), the Pacific Area Standards Congress (PASC), the Pan American Standards Commission (COPANT), and the International Accreditation Forum (IAF), and, through the U.S. National Committee, to the

International Electrotechnical Commission (IEC), ANSI will be encouraged to participate in the safety and health-related policy-making groups and committees of these organizations. ANSI will provide OSHA with proposed draft international safety and health standards from these organizations. OSHA will provide ANSI with comments on the proposed international standards, and ANSI will provide these comments to the Technical Advisory Group developing the U.S. position on these standards;

ANSI will coordinate the interpretation and rationale of selected American National Standards for OSHA, as requested, in connection with OSHA standards development and compliance activities;

ANSI and OSHA will maintain a mechanism for consultation in the planning of occupational safety and health standards development activities in the areas of mutual concern to the extent consistent with OSHA policy and section 6 of the OSH Act;

ANSI accredits Standards Developers to develop and publish American National Standards based on openness, balancing of interests, due process and consensus. Accordingly, ANSI and OSHA agree to promote communications between voluntary standards developers and government organizations that evaluate voluntary standards and other source materials, and between voluntary standards developers and government organizations that develop and enforce workplace standards. ANSI and OSHA will work together to help these parties to obtain relevant information about developments that affect them, and to facilitate decision-making and implementation of needed actions at the national and international levels;

ANSI and OSHA agree to work with the National Institute of Standards and Technology (NIST) under the National Technology Transfer and Advancement Act of 1996 (P.L. 104-113) and with the Secretary of Commerce under OMB Circular A-119 and the Trade Agreements Act of 1979 (P.L. 96-39) to co-ordinate Federal activities in voluntary standards and to ensure adequate representation of U.S. interests in all relevant international standards organizations. In entering into this MOU, ANSI recognizes that OSHA promulgates and enforces workplace safety and health standards as mandated by the Occupational Safety and Health Act of 1970 (OSH Act), and that OSHA must comply with the requirements of the OSH Act and other statutes, regulations, and directives in carrying out its regulatory program.

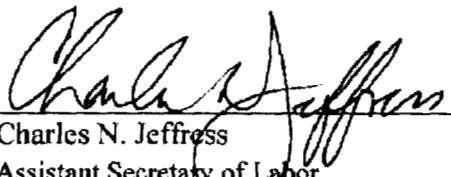
OSHA will provide ANSI with those occupational safety and health research reports it has developed for general use consistent with section 20(d) of the OSH Act involving areas of mutual concern;

OSHA will participate on selected ANSI accredited standards committees and canvass reviews in a manner consistent with the policies of the OSH Act;

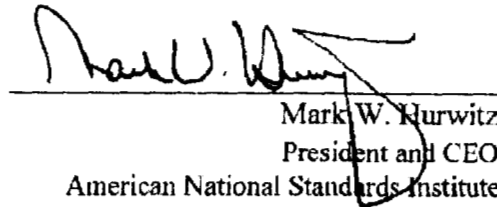
OSHA will provide ANSI with notices of standards development activities relating to standards proposals, hearings and final rules.

The purpose of the cooperative effort sought under this Memorandum of Understanding is to bring the technical resources and support of ANSI together to assist OSHA in carrying out its responsibilities. Also, to the extent consistent with its obligations under the OSH Act, and other laws, OSHA will make technical resources available to assist ANSI in its mission. By entering into this MOU, ANSI and OSHA intend to enhance and strengthen the national voluntary consensus standards system of the United States and to support continued U.S. competitiveness, economic growth, safety, and health.

ANSI and OSHA will establish a working group to determine the assigned tasks that are to be carried out, by mutual agreement, to implement this MOU. ANSI and OSHA will each designate representatives to serve on this working group.



Charles N. Jeffress
Assistant Secretary of Labor
Occupational Safety and Health Administration



Mark W. Hurwitz
President and CEO
American National Standards Institute

Signed January 19th, 2001