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National Maritime Safety Association

Charter of

NMSA TECHNICAL COMMITTEE

Effective: April 12, 2023

Article I: Official Designation

The official designation of this standing committee is the “NMSA Technical Committee.” It shall also be known as “The TC.”

Article II: Mission and Purpose

The mission: to promote, further and support occupational safety and health in marine cargo handling workplaces that hire organize labor.

The purpose: to establish and maintain a collegial body of technical expertise to represent and serve NMSA in promoting its mission.

Article III: Objectives and Scope of Activity

Objectives:

In keeping with the bylaws of NMSA, the Technical Committee will serve the Board as its advisory arm pertaining to the following:

- (a) aid, advance, assist, encourage, promote and support occupational safety and health in marine cargo handling operations;
- (b) work with representatives of organized labor and employers to improve occupational safety and health in marine cargo handling operations;
- (c) monitor all federal, state, and local governmental regulatory activity related to occupational safety and health that implicates marine cargo handling, and advise and work with federal, state and local government agencies on regulations and related matters;
- (d) work with government agencies to help improve and maintain occupational safety and health statistics related to marine cargo handling operations;

(e) act as a clearinghouse for information that may help reduce occupational injuries and illnesses in the marine cargo handling industry;

(f) monitor legislation that may affect occupational safety and health in the marine cargo handling workplace and provide legislative bodies with information concerning occupational safety and health in the marine cargo handling industry; and

(g) initiate and participate in litigation in courts and administrative proceedings that may affect occupational safety and health in the marine cargo handling industry.

Scope of Activity:

1. Will be governed by the bylaws of NMSA and this charter;
2. Will maintain a Technical Committee of officers and qualified members;
3. Will meet regularly around the port cities of the US, Canada, and Puerto Rico, in person and virtually with employers and organized labor;
4. Will develop products, briefings and recommendations to achieve the objectives above;
5. Will make funding requests to support these activities to the Board.

Article IV: Membership, TC Members, Contributing Members

Each Association and Affiliate member of NMSA shall be accorded one (1) TC seat; however following the NMSA dues schedule, the New York Shipping Association will be accorded two (2) seats and Pacific Maritime Association will be accorded five (5) seats.

Eligible members: Association and Affiliate member organizations may nominate a qualified representative to the TC based on the membership dues schedule. Approved members shall be referred to as TC members. The TC may open its meetings whole or in part to the public to participate.

TC Member Qualifications

Sponsoring Association Member and Affiliate Member organizations may recommend representatives to serve on the NMSA TC. Professional competence and practical experience in the industry are fundamental criteria for filling these positions. The committee is required to represent the best available combination of technical expertise and diversity of market expertise related to safety in the marine cargo handling (and closely related) industries. The following criteria apply for qualification:

- Maintains a commitment to the NMSA's published mission, purpose and objectives;
- Preferably, has five (5) years of demonstrated technical competency and knowledge of the Occupational Safety & Health (OSH) Act with principal

- focus upon the marine cargo handling industry;
- For Association Members: possess an in-depth familiarity of the operations of the sponsoring Association's port region;
 - For Affiliate Member: possess an in-depth familiarity of the operations of the Affiliate organization;
 - Can work effectively in a collegial atmosphere, with members of the TC and the public, including members of organized labor;
 - Possesses strong capability for analyzing complex operational problems in the marine cargo handling industry to arrive at reasonable solutions;
 - A commitment to travel and to participate regularly in two-day meetings in the U.S., Canada, and U.S. territories;
 - A commitment to take on and participate in projects and research.

What is the process for becoming a Technical Committee Member?

1. Candidate will be a representative of an Association Member or Affiliate member organization;
2. Meet the criteria set out within "TC Member Qualifications," above;
3. Candidate should attend two TC meetings prior to Board review of the applicant package. The purpose being to better understand the commitments expected of a TC member and to have an opportunity to demonstrate the attributes set out within "TC Member Qualifications," above;
4. NMSA Association Member/Affiliate Member organization submits a recommendation letter to the President of the NMSA Board for the candidate, including an expression of support for time and financial responsibilities and resume;
5. The NMSA Board of Directors will review the package using the above guidelines and consider input provided by the TC Chairman;
6. NMSA Board of Directors shall confirm or reject the nominee and notify the sponsoring organization accordingly.

What is the process for becoming a Contributing Member?

1. Candidate may be any member of the public;
2. Candidate should attend three TC meetings within two years;
3. Candidate should provide valuable contribution to NMSA, typically in the form of a presentation on a relevant safety issue;
4. Be nominated by a voting member of the TC or Board;
5. Be approved by the Board.

Article V: Governance

A TC Chairman, Vice Chairman and Secretary will be determined by majority of its voting members and is subject to approval of the Board. These officers and TC members are typically not Board members. The terms of office is three years and shall not exceed three successive terms, unless waived by the Board. The TC meetings will be led by the Chairman. In the absence of the Chairman, TC meetings will be led by the Vice Chairman, then Secretary. Other subordinate committees or roles may be established by the TC and decided by its voting members.

At least 50% of the seated TC voting members is required to establish a quorum. TC voting will be determined by majority. Association members constitute the voting membership. Affiliate members constitute the non-voting membership, unless waived by the Board. Contributing members and the public are barred from Executive Sessions where voting is conducted. Proxy voting for those in abstention or unfilled TC member seats is not permitted.

Article VI: Meetings and Procedures

The TC will meet regularly, typically quarterly and at least Annually in conjunction with the NMSA Annual meeting. Meetings may be in person or held virtually. The TC may establish its own rules and procedures for administering its meetings and activities, subject to approval of the Board.

The TC Chairman or Vice Chairman or Secretary will attend Board meetings, except for Board Executive Sessions. NMSA will be responsible for transportation, hotel and meals of the Chair or their representative to attend Board meetings.


Article VII: Recordkeeping

The TC Chairman shall provide its committee approved meeting minutes and attendance list to the Board for review, archiving and distribution, which may include public distribution.


Article VIII: Duration

This Charter shall remain in effect until superseded or canceled.

Article IX: Approval



Dave Morgan, President NMSA
For the Board



Date