

Guide for Appealing Actions on Negative Votes to the Committee on Standards (COS)

What are the responsibilities of COS?

The COS reviews all main committee not persuasive and not related actions on negative votes to ensure that all points have been considered in accordance with the Regulations Governing ASTM Technical Committees (*Regulations*). COS is also responsible for handling all standards appeals.

Who may appeal and what are the appropriate grounds for an appeal?

A member whose main committee negative vote has been found not persuasive or not related may appeal if the voter feels that the negative vote was not completely addressed by the technical subcommittee, or if they feel that the *Regulations* were violated. COS only considers procedural appeals and will not consider appeals that argue technical points regarding the content of the standard.

When can a negative voter appeal?

A negative voter found not persuasive or not related may appeal after the ballot item has passed main committee ballot/Society Review. Each negative voter who is found not persuasive or not related, is notified by ASTM Headquarters regarding their right to appeal and is given *15 days* to provide their *intent to appeal* and 30 days to submit their written appeal from the date of notification.

What should be included in the appeal?

The written appeal in its entirety should follow the [template for submitting a COS Appeal](#). Appeals should include the following:

- Identification of the section(s) of the *Regulations* violated in the development of the standard and/or with the handling of the negative vote.
- A clear description of how the committee violated the identified section(s) of the *Regulations*.
- The appeal may include pertinent attachments to support the appeal. All attachments should be truncated or highlighted so as to provide only information cogent to the appeal. Anything provided after the **deadline date may not** be included in the documentation submitted to COS.
- ASTM Headquarters will include the relevant ballot item(s), the negative vote(s) and the not persuasive/not related resolution(s) to COS. The appellant should not include these items in their appeal.

How are Appeals Conducted?

COS appeals are conducted at face-to-face COS meetings, by teleconference/virtual meeting, or by COS ballot. Appellants may present their appeal to COS at either a face-to-face meeting or virtual meeting/teleconference. If the appeal is conducted at a meeting, or by virtual meeting/teleconference, the committee representative(s) are also invited to present their position.

If the appellant does not wish to present their appeal at a meeting, COS may choose to handle the appeal via a ballot. No matter how the appeal is handled, ASTM Headquarters prepares the documentation for review by COS including:

- The written appeal of the negative voter(s)
- The negative vote
- The not persuasive/not related resolution taken by the responsible technical subcommittee and main committee
- The relevant ballot item(s)
- The response by the committee representative(s).

If the appeal is handled at a meeting or teleconference, the process is as follows:

- The negative voter(s) is given an opportunity to present the appeal. Presentations should avoid technical issues.
- Committee representative(s) present the response.
- Members of COS may question the appellant(s) and the committee representative(s) before excusing them for deliberation.
- The negative voter(s) and committee representative(s) are notified of the outcome after COS reaches a decision.

What are the possible outcomes of an appeal?

If COS finds that the Regulations were followed by the Committee, the balloted item is approved for publication. If COS finds that the *Regulations* were not followed, the balloted item is not approved and sent back to the Committee for further action.

Appeal to Committee on Standards (COS)

Date:

To: Jen Rodgers, COS Secretary

From:

Standard Designation(s):

Work Item #'(s):

Ballot Designation:

Ballot Item(s):

Identify the Section(s) of the *Regulations* that were violated in the development of the standard and/or with the handling of your negative vote.

Provide a clear description of how the committee violated the identified section(s) of the *Regulations*. **Please submit your written appeal in its entirety. Anything provided after the deadline date may not be included in the documentation submitted to COS.**

Note: You may include pertinent attachments to support the appeal. All attachments should be truncated or highlighted so as to provide information relevant to the appeal. ASTM Headquarters will provide the appropriate ballot item(s), negative vote(s) and not persuasive/not related resolution(s) to COS. The appellant should not include these items in their appeal.

Cc: Corice Leonard, COS Admin. Asst.