



RECEIVED
IRRC

2010 JUL 26 A 9 56

July 22, 2010

2850

Mr. Christopher McNally
Assistant Counsel
Department of State
Commonwealth of Pennsylvania
Bureau of Professional and Occupational Affairs
One Penn Center, Third Floor
2601 North Third Street
Harrisburg, PA 17105-2649

To: Mr. Christopher McNally and the Regulatory Board of Directors:

The American National Standards Institute (ANSI) is writing in response to a public comment notice for draft State Board of Crane Operators regulations that implement the Crane Operator Licensure Act. Our comments will address ANSI's accreditation of Crane Operator certifications.

The American National Standard Institute is a private non-profit organization that administers and coordinates U.S. voluntary standardization and conformity assessment activities (including responsibilities as an internationally recognized accreditation body). Its mission is to enhance U.S. global competitiveness and the American quality of life by promoting, facilitating and safeguarding the integrity of the voluntary standardization and conformity assessment systems.

The ANSI accreditation program for personnel certification bodies is based on the international ANSI/ISO/IEC Standard 17024 – *Conformity Assessment – General Requirements for Bodies Operating Certification of Persons*. This standard has been adopted as an American National Standard by ASTM International – an ANSI accredited Standard Developer.

In addition, as with our peers around the globe in the International Accreditation Forum (IAF), the ANSI accreditation process is based on another international standard ISO/IEC 17011 – *Conformity Assessment – General requirements for bodies operating certification of persons*. The accreditation process requirements in ISO/IEC 17011 are substantially equivalent to the accreditation processes that higher education accreditors must follow in order to be recognized as accreditation bodies for federal purposes by the U.S. Department of Education. They are also similar to the national and internationally accepted accreditation processes used in multiple industries such as those used to accredit health care facilities.

A major strength of any accreditation program based on ISO/IEC 17011 is the qualifications of the personnel used to evaluate and make accreditation decisions. ANSI's assessors and accreditation committee members are proven leaders in the personnel certification industry. Nearly one-third of the assessors and committee members are PhD psychometricians. They have many years of experience in leadership positions in the fields of personnel certification and accreditation, are nationally recognized experts and published authors. In addition, they serve as speakers for national and international conferences. ANSI has continuous training for the assessors and accreditation committee members to ensure consistency in our accreditation decisions. The accreditation committee represents different stakeholder groups based on the populations ANSI serves and includes a public member as well.

The Standards referenced provide a strong foundation for the ANSI accreditation program - resulting in the most comprehensive and rigorous process of any personnel certification accreditation program not only in the United States, but internationally as well. This statement is supported due to the recognition by U.S. Federal Agencies such as the Department of Defense and Department of Energy. ANSI has been named the approved accreditor of certification bodies by the U.S. Department of Defense (DoD) for its Information Assurance (IA) Workforce Improvement Program. As per the DOD 8570.01-M, "ANSI is the only personnel certification accreditation body in the United States to meet ISO/IEC 17011:2004, 'Conformity assessment - General requirements for accreditation bodies accrediting conformity assessment bodies' (Reference (y)), which represents the highest nationally accepted practices for accreditation bodies."

Further validation of the quality of ANSI's accreditation program can be seen from the fact that ANSI has received requests worldwide by other accrediting agencies to duplicate the ANSI accreditation program in their country. It is further substantiated by ANSI's leadership at the IAF in developments towards the forthcoming international multilateral recognition arrangement (MLA) to establish equal reliability between the program of IAF members that successfully withstand peer assessments to ISO/IEC 17011 and related program specific criteria (ANSI is currently a signatory to existing IAF MLAs).

The requirements within ANSI/ISO/IEC 17024 are very comprehensive but are designed to provide flexibility in how certification agencies can demonstrate that they meet each of the requirements. The content of the standard requires:

- Detailed policy and procedures to cover the entire certification process - including confidentiality and impartiality
- Documented evidence that there are financial resources to carry out the functions of the certification body

- Organization structure that ensures the independence of the certification program - including the separation of training from certification
- Development and maintenance of a certification scheme
 - Valid job/practice analysis
 - Test blueprint
 - Re-certification interval
 - Surveillance requirements
- Creation of a fair, valid and reliable examination (written, oral, performance)
- Annual requirement that test remains valid and reliable - including the inter-reliability of examiners that judge the performance examinations and equating if different forms are used
- Management systems that must have document control, internal audits and management review to ensure continuous improvement.
- Review of sub-contracts to ensure the certification body is monitoring such services/vendors that develop or administer examinations.
- Existence and maintenance of Records Systems.
- Security of the examination and related items throughout the life cycle of test items
- Documentation of competence requirements for employees and contractors – including the training needed to perform assigned tasks
- Performance of examiners making judgments about the performance of the test candidates
- Documentation of the certification process including:
 - Application
 - Documented evidence to confirm candidate competence
 - Decision on certification
 - Surveillance activities - providing evidence of industry satisfaction with performance of persons who are certified
 - Recertification processes and documented evidence confirming continuing competence of certified persons as defined by the certification body
 - Appropriate use of certificates and logos/marks

Although the quality of a standard for certification bodies is important, the accreditation process to determine if the requirements are met is a major factor in determining the quality of an accreditation program. Many organizations that conduct accreditation programs to include the U.S. Department of Education and the Council on Higher Education Accreditation are in agreement that the generally accepted accreditation practices in the United States consist of the following characteristics:

- A document review followed by an on-site visit (physical visit) to verify information provided during the document review and evaluating activities that cannot be written on paper

- A process that separates assessors from the accreditation decision which is decided by a committee that is representative of the stakeholders
- A complaint and appeal process that is transparent to customers and stakeholders
- Allowing the customer to confirm whether the assessors have any conflict of interests with their organization prior to the assessor reviewing any accreditation materials
- Making the accreditation status of an organization public to include suspension and withheld or withdrawn

As noted above, the ANSI accreditation process fulfills the ISO/IEC 17011 standard for accreditation bodies as substantiated by multiple independent audits. And the ISO/IEC 17011 requirements (also in alignment with the above generally accepted practices for accreditation bodies) include the following general processes:

- Evaluating certification bodies against criteria determining their eligibility to enter the ANSI accreditation process
- Completing a very detailed application with appropriate documentation and evidence
- Confirmation of the assessors' acceptance by the certification body based on resumes and confidentiality/conflict of interest documentation
- Assessor review of application materials sent by the certification body, including additional information if the responses are inadequate.
- Based on the document review, assessors create the on-site schedule in collaboration with the certification body to identify individuals to be interviewed, records to be sampled, and activities to be witnessed.
- The on-site is generally two days at the headquarters and one day at the performance examination test site or sites.
 - Often multiple sites are visited to ensure the same rigor is followed at different sites.
 - Two assessors go on-site: a doctoral prepared psychometrician and a generalist experienced with administering certification programs
- During the on-site there is an opening meeting to explain the process and what will be reviewed and then a closing session to present and explain the findings: Commendations, Opportunities for Improvement (suggestions) and Non-conformities (where requirements have not been met).
 - An on-site visit is not about just policy and procedures.
 - Staff are interviewed regarding how they perform their assigned duties
 - Records are pulled and reviewed
 - Security procedures are witnessed

- Performance examinations are witnessed to determine performance of the examiners (inter-rater reliability)
- Protocols are assessed to include witnessing of how the performance testing site is created
- Without an on-site assessment, the accreditation body cannot determine if the certification body has a fair, valid and reliable certification program.
- The assessment report written by the assessors is reviewed by the certification body for any misstatement of fact. This report is also reviewed by a sub-committee of the accreditation committee to determine if the evidence substantiates the non-conformities written and the opportunity for improvement is not a non-conformity. When a consensus is achieved, the report is sent to the full committee (20 individuals). At any time, the committee members can ask to see the information provided by the certification body upon which the assessors made a decision. The report which includes the findings is not official until the accreditation committee makes the decision.
- If the certification body does not agree with the decision, they can appeal the decision through transparent and due process procedures in accordance with ANSI's ISO/IEC 17011.
- Each year there is an annual surveillance. On-sites are conducted at year one and year three of a five-year accreditation cycle. At year five, there is a re-accreditation process. Certification bodies may receive a non-conformity or opportunity for improvement at any surveillance point. Any findings are handled in the same manner throughout the accreditation process.

Differences in criteria between standards (17024 and other U.S. personnel certification accreditation standards) as well as the accreditation programs' processes can be significantly more than administrative – so significant that their outcomes may not be equivalent. The ANSI accreditation program assesses certification bodies to the preeminent international standard for personnel certification bodies. This in-depth evaluation is currently the only such accreditation program in the United States.

The ANSI accreditation process combining document review, verbal and written interaction between the assessors and the certification body and on-site visits has been shown to give stakeholders the confidence and trust that the certification body does meet the accreditation standard as well as meet their own procedures. ANSI's ISO/IEC 17024 accreditation program can verify with the utmost assurance that a personnel certification program is fair, valid and reliable.

We appreciate the opportunity to describe the ANSI accreditation program. It is a process that can provide confidence for the State Board of Crane Operations and the citizens of Pennsylvania.

Roy A. Swift

Roy A. Swift, Ph.D.

Senior Director

Personnel Credentialing Accreditation Programs