

## **Model Rules for a National Occupational/Industrial Hygiene Associations/Society/institute**

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Date Oct 25 2010

### ***Introduction***

The following are suggested rules for the formation of a National Occupational/Industrial Hygiene Associations/Society/institute in order to meet the requirements for membership of the International Occupational Hygiene Association (IOHA).

The following requirements are necessary for IOHA membership. The national association must be:

1. Not-for-profit organisations.
2. The objectives of the organisation are in accord with those of IOHA.
3. Entirely separate (i.e. not funded, sponsored etc) by any governmental body. That is, the organisation must be civil, non-government organisation.
4. Non-discriminatory in terms of race, sex/gender, marital status, age or disability.

In addition they must provide:

5. A copy, in English, of their Constitution, Byelaws, Governing Instrument etc.
6. Details of the number of the members.
7. Details of the different grades of membership available, and how members are selected for any particular grade, and
8. A statement, signed by the senior officer of the Organisation (i.e. President, Chairman, etc) that, if elected to membership of IOHA, they would abide by IOHA's M&As and any Rules that may, from time to time, be passed.

The national association should have a constitution, rules, articles, memorandum or other formal document which outlines:

1. How the association will operate?
2. Member's qualifications for acceptance into the association.
3. Who is responsible for the operation of the association and their duties?
4. Requirements as determined by local state, region or national laws and regulations, and culture.

## ***Draft Constitution of an Association***

The elements of the association's constitution shall have:

### **1. Name of the Association**

The incorporated association is the 'XYZ' Association of Occupational Hygiene (in these Rules called "the Association").

Notes: The name should include the word 'Hygiene', but it can be an association, society or institute, or any other name which describes its purpose.

Ideally the association name should be registered with the national/state or regional government to protect it from copyright abuse.

The following are examples from IOHA

Australian Institute of Occupational Hygienists  
Belgian Society for Occupational Hygiene  
Brazilian Association of Occupational Hygienists  
Canadian Registration Board of Occupational Hygienists  
Colombian Association of Occupational Hygiene  
Finnish Occupational Hygiene Society  
French Occupational Hygienists Society  
German Society for Occupational Hygiene  
Hong Kong Institute of Occupational and Environmental Hygiene  
Occupational Hygiene Society of Ireland  
Italian Industrial Hygiene Association  
Japan Occupational Hygiene Association  
Japan Association for Working Environment Measurement  
Korean Society of Occupational and Environmental Hygiene (KSOEH)  
Malaysian Industrial Hygiene Association  
Mexican Association of Industrial Hygienists  
Dutch Occupational Hygiene Society  
New Zealand Occupational Hygiene Society  
Norwegian Occupational Hygiene Association  
Polish Association of Industrial Hygienists  
Southern African Institute for Occupational Hygiene  
Swedish Association of Occupational and Environmental Hygiene  
Swiss Society for Occupational Hygiene  
Taiwan Occupational Hygiene Association  
British Occupational Hygiene Society  
American Conference of Governmental Industrial Hygienists  
American Industrial Hygiene Association

### **2. Objectives**

For example, for a national association, they could be:

The purposes for which the Association is organised are:

- (a) To promote the profession of occupational (or industrial) hygiene;
- (b) To improve the practice of occupational hygiene and the knowledge, competence and standing of its practitioners;
- (c) To represent the profession nationally and internationally; and
- (d) To increase public awareness of the field of occupational hygiene.

Notes: The objectives should be similar to those of IOHA which are:

IOHA's objectives are to:

- Promote and maintain a high standard of ethics in the practice of occupational hygiene internationally.
- Improve the calibre of practitioners of occupational hygiene internationally by promoting and co-coordinating vocational training and by encouraging the further development of, and seeking to promote the status of, occupational hygiene as a profession throughout the world.
- Advance and maintain the high level of professional competence through recognition of national accreditation schemes.

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- Improve, promote and develop the professional practice of occupational hygiene so as to improve and protect worker health and well being throughout the world.
- Promote the exchange of information about occupational hygiene among organisations and individuals internationally, e.g. through the organising of international conferences and networking through websites;
- Collaborate and cooperate with other societies, national and international organisations in the promotion of occupational hygiene for the protection of work force;
- Provide the international voice of the occupational hygiene profession through its recognition as a non-governmental organisation (NGO) by the ILO (International Labour Organisation) and WHO (World Health Organisation).

### 1. Activities

This describes the activities of the association, for example

The Association may engage in any lawful activity that contributes to the attainment of its objectives. It may by way of example:

- (a) Set standards of professional competence and maintain a register of those members who meet its standards;
- (b) Prepare and publish standards relating to the teaching and training of occupational hygienists;
- (c) Make representations on matters within the competence of its members to governments, industry and trade unions;
- (d) Promote, research, publish scientific and technical papers;
- (e) Collect, order and disseminate information on any or all aspects of occupational hygiene and allied subjects; and
- (f) Conduct conferences, public meetings, exhibitions and courses of instruction.

Notes: The activities should show what the association does.

### 2. DEFINITIONS

This section is required to define the terms used in the model constitution. The following is an example:

4.1 In these Rules, unless the contrary intention appears:

"Act" means the [national regulations] or its' subsequent revisions and amendments;

"Certified Occupational Hygienist" shall refer to a special status as confirmed for an individual by the Council and relating to a particular member who has met the requirements for certification.

"Certification Board" means a Board of not less than five members appointed by Council to administer the requirements for certification;

"Committee" means a group of Association members appointed by Council for a particular function associated with the business of the association;

"Council of the Association" has the same meaning as "Committee of Management" in the Act and "Council" means the Council of the Association.

"Councillor" means a member of the Council who is not an Officer of the Association under Rule xxx and

"Councillor" has the same meaning as an "ordinary member of the Committee" in the Act;

"Entitled member" is a member who is entitled to vote at meetings of the Association;

"Financial year" means the year ending on 30 June;

"General meeting" means a general meeting of members convened in accordance with Rule xxx;

"Good standing" means that the member has paid all monies due to the Association;

"Member" means a member of the Association;

"Regulations" means regulations under the Act;

"Retired status" shall refer to a special financial status as confirmed for an individual by the Council and relating to a particular member of at least ten (10) years good standing who does not practice occupational hygiene for remuneration for more than 20% of any single financial year and who is 55 years of age or over.

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“Special business” shall mean all business that is conducted at a special general meeting and all business that is conducted at the annual general meeting, (except for business conducted under these Rules as ordinary business of the annual general meeting), is deemed to be special business.

“Student status” shall refer to a special financial status as confirmed for an individual by the Council and relating to a particular first time member who is eligible for membership at Associate level, studying full or part-time for at least the current or forthcoming semester and is not yet practicing occupational hygiene for remuneration on a full-time basis (unless as part of a work experience program).

4.2 In these Rules, a reference to the Secretary of the Association is a reference:

(a) If a person holds office under these Rules as Secretary of the Association, to that person;

## 5. Alteration Of The Constitution

[A process is required to make changes to the Constitution of the Association which is transparent to all members, and complies with the laws of the country](#)

5.1 These Constitution of the Association must not be altered except in accordance with the Act.

5.2 Alteration of the Constitution shall be proposed in a written Notice of Motion addressed to the Secretary and signed by at least ten entitled members. Upon receipt of the Notice of Motion, the Secretary will fix a date for the holding of a Special General Meeting of the Institute. No business other than that set out in the Notice convening the meeting shall be transacted at the meeting. The proposed alteration shall be passed if passed by a majority of not less than three-fourths of the entitled members who vote, whether in person or by proxy, at the Special General Meeting.

## 6. Membership

[List the various grades of members, for example](#)

6.1 Membership grades

There shall be four grades of membership;

- (a) Full Member,
- (b) Provisional Member,
- (c) Associate Member,
- (d) Fellow, and

The grades of Full Member, Provisional Member, and Fellow are the professional grades. The Associate Member grade is intended for those with an interest in occupational hygiene, or for students. Associate Members may progress to a professional membership grade when evidence of the appropriate qualifications and/or experience.

Retired status is not a membership grade; it is a special financial status relating to membership dues and may apply to any grade of membership.

Student status is not a membership grade; it is a special financial status relating to membership dues and is intended only for students studying full or part-time, without full-time work in occupational hygiene. It applies only at the Associate grade of membership.

[Notes: The grades of membership will depend upon the needs of the association, and may include Certified Occupational Hygienists, or corporate members](#)

6.2 Qualifications for Membership

[Each grade of membership will list the qualifications and experience required](#)

## 7. New Memberships, Transfer Of Memberships And Application For Student, Retired Or Certified Occupational Hygienist Status

[Procedures should exist for new membership applications and transfer between membership grades](#)

## **8. Fees and Subscriptions**

This section will deal with the fees and subscriptions and the procedure for (a) setting the fees, (b) collection of fees, etc.

## **9. Duties and Privileges of Members**

This section will deal with the obligations of the members and their privileges with regard to voting in the association, the right to use certain titles or letter after their name, for example (Member of XYZ Association)

There must be procedures to deal with the following:

Register of Members

Resignation of Membership

Termination of Membership and/or Status

Disputes and Mediation

## **10. Meetings**

This section will deal with the procedures for holding various meetings of the association, some of which may be required by law. The procedures will include matters such as voting, quorums at meeting, proxy voting. For example

Annual General Meetings

Special General Meetings

Notice of General Meetings

Quorum at General Meetings

Presiding at General Meetings

Adjournment of Meetings

Voting at General Meetings

Poll at General Meetings

Proxies

## **11. The Council or Board**

This section will deal with the procedures for operation of the association, which will usually be run by a governing body - Council or Board. Within that council/board will be the officers of the association, usually called the 'Officers of the Association'. These are normally

(a) President;

(b) Vice-President

(c) Treasurer; and

(d) Secretary.

The Council will also include other members to assist the officers. For smaller associations some of the positions may be combined for example Secretary/Treasurer.

There must be procedures for the election of members to Council/Board and to Officers positions. This is usually by nominations from the eligible members, followed by a secret ballot at the Annual General Meeting

The terms of office shall be determined for both the officers and council/board members. The procedures will deal with such matters as

Election of Officers and Councillors

Officer or Councillor Vacancies

Meetings of the Council

Notice of Council Meetings

Quorum for Council Meetings

[Presiding at Council Meetings](#)

[Voting at Council Meetings](#)

[Removal of Council Member](#)

[Minutes of Meetings](#)

## **12. Committees**

To assist in the work of the association, various committees may be formed to deal with specific matters, for example – Communications, Ethics, Membership applications, Certification programs

## **13 Funds and Property**

There must be procedures in place to deal with the collection and accountability of all money, and to make authorised payments. No member (including council and officers) of the association shall profit or gain financially from the association. The following is an example

The Treasurer of the Association shall be responsible for –

(a) Collection and receipt of all moneys due to the Association and making all payments authorised by the Association; and

(b) Keeping correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.

All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments including electronic funds transfer must be signed by two (2) Officers of the Council. Electronic funds transfers must be authorised by two (2) Officers of the Council.

The funds of the Association shall be derived from membership application fees, annual subscriptions, donations and such other sources as the Council determines.

The income and property of the Association shall be applied solely towards the promotion of its objectives. The Association shall not carry on any trade or business or engage in any transaction with a view to the pecuniary gain of its members.

No member shall have any personal claim on any property of the Association. No part of the income or property of the Association shall be paid or transferred directly to members of the Association. Nothing said above shall prevent the payment in good faith of remuneration to any member of the Association in reimbursement of expenses incurred on behalf of the Association or in remuneration for any service rendered to the Association.

Notes: This is to maintain not for profit status and ensure all financial matters are correctly handled

## **14. Notice to Members**

This details how members will be advised of meetings, and other association matters. For example by letter, electronic transmission, facsimile, etc.

## **15. Dissolution of the Association**

Since the association is a not for profit organisation, there must be provisions in place for the unlikely event that the association can no longer operate, and to ensure that no members receive payments.

For example

The Association shall be dissolved upon the passage, by a three-fourths majority of all valid votes cast, of a motion for its dissolution put to a special general meeting called in accordance with these Rules.

If upon winding up or dissolution of the Association, there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Association, but shall be given to some other organisation having similar objectives to the Association and which shall prohibit the distribution of its income and property amongst its members to an extent at least as great as that imposed on the Association. This organisation is to be determined by members of the Association at or before the time of dissolution.

## 16 Custody and Inspection of Books and Records

There should be procedures in place to ensure the assets and records of the association are kept secure, yet are available for inspection by any member or authorised government body. For example:

Except as otherwise provided in these Rules, the Secretary must keep in his or her custody or under his or her control all books, documents and securities of the Association.

The Association financial records, securities and financial documents will be under the control of the Treasurer.

All accounts, books, securities and any other relevant documents of the Association must be available for inspection free of charge by any member upon request.

A member may make a copy of any accounts, books, securities and any other relevant documents of the Association.

## 17. By-Laws

Many of the details of the association's operations and requirements can be dealt with more easily with Bye-Laws, while have the same force as the rules, it may be easy to amend to meet current or changing circumstances. A procedure should be in place to create, change and even delete Bye-Laws. For example

The Association may have By-laws.

The creating or alteration of By-laws of the Association shall be proposed in a written notice of motion addressed to the Secretary. The notice of motion shall be signed by the proposer and seconder who shall be Members of the Association.

One such Bye-Law which is essential for the association is a Code of Ethics

### Objective

This code enunciates standards of ethical conduct for members of the XYZ Occupational Hygiene Association. It places obligations on members to practice their profession in an objective manner, following recognised principles of occupational hygiene, realising that the lives, health and welfare of individuals may be dependent upon their professional judgement.

The following is the Code of Ethics of IOHA

IOHA Code of Ethics

(17 May 1993)

### Professional Responsibility

1. To maintain the highest level of personal integrity and professional competence
2. To apply appropriate scientific methods and to interpret findings with neutrality and in good faith.
3. To communicate scientific knowledge for the benefit of working men and women, society and the profession.
4. To protect confidential information.
5. To deal with matters within one's area of professional competence.
6. To act responsibly to uphold the integrity of the profession.

### Responsibilities to Working Men and Women, the Public and the Environment

1. To recognise that the primary responsibility of the occupational hygienist is to protect the health and well-being of working men and women.
2. To consider the impact of decisions and actions on the public and the environment.
3. To anticipate, recognise, evaluate and control health hazards regardless of external influences realising that human health and welfare may depend upon the occupational hygienist's skill and professional judgement.
4. To counsel all concerned parties fairly, effectively and factually regarding health hazards and the precautions to be taken to avoid adverse health effects.
5. To responsibly apply occupational hygiene principles to provide and maintain a safe environment for all.

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6. To strive to protect with equal diligence and standard of care, the health and well-being of working men and women for whom they are responsible.

### **Responsibilities to Employers and Clients**

1. To advise the employer or client honestly, responsibly and competently so that anticipation, recognition, evaluation and control of health hazards in the workplace is based upon sound professional principles.
2. To respect confidences but hold responsibilities to the employer or client subservient to the ultimate responsibility to protect the health of working men and women.
3. To advise the employer or client about accepted standards or guidelines, or regulatory requirements.
4. To factually report findings and recommendations and to ensure that professional judgement is based on capabilities within the occupational hygienist's field of expertise.
5. To act upon the principle that in matters of health protection and the preservation of the environment, there is, in general, a concordance of interest amongst employers, clients, working men and women and the public. However, when conflict arises between those interests, it must be resolved in the least harmful way practicable.

Codes of Ethics of other associations may be along the lines of:

#### **PRIMARY RESPONSIBILITY**

In providing advice to employers, clients or employees, members shall give paramount consideration to safeguarding the health of the workforce.

#### **PROFESSIONAL CONDUCT**

Members shall conduct their affairs so as to promote and improve the professional practice of occupational hygiene, and shall so order their conduct as to uphold the dignity, standing and reputation of the profession. Members shall base the advice they give on the best available scientific evidence.

#### **RESPONSIBILITIES TO EMPLOYERS**

1. Advise the employer, responsibly and competently so that healthy working conditions may be achieved and maintained without unnecessary expense.
2. Keep confidential all information relating to the employer's business operation or manufacturing processes which is not common knowledge.
3. Advise the employer so that unwitting contraventions of any relevant legislation or professionally accepted standard can be avoided; in particular, to inform the employer when he has a statutory duty to disclose findings to workers or their representatives.
4. Report findings clearly and factually to the employer directly and to no other body without the permission of the employer, unless there is no way other than disclosure, of averting a high risk of death or serious injury. Where disclosure is to occur, the relevant member should notify the employer.

#### **RESPONSIBILITIES TO THE WORKFORCE**

1. Adopt an objective attitude towards the recognition, evaluation and control of environmental factors adverse to health.
2. Report clearly and factually; and ensure that matters of opinion are founded on adequate knowledge and are within the member's expertise.
3. Ensure that all information obtained is used solely for the purpose of promoting occupational health.

#### **RESPONSIBILITIES TO THE GENERAL PUBLIC**

Make public statements claiming professional knowledge in an area of public interest only if competent to do so, and only if such statements are not inconsistent with other responsibilities set out in this Code.

#### **RESPONSIBILITIES OF CONSULTANTS**

In addition to conforming to the above standards of ethical conduct, a member acting as a consultant shall:

1. Ensure that work performed by other persons at the member's behest is competently performed and honestly and reliably reported.
2. Inform the client of any interest or employment such as might compromise the exercise of independent professional judgement or conduct.
3. Work for one client only on the same matter unless the consent of all relevant clients is obtained.
4. Not solicit for work either by calling into question the ability or integrity of another member or by offering or paying to a prospective client financial or material inducements.

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5. Not disclose to any third person any finding on behalf of the client without the client's permission, unless there is no way other than disclosure, of averting an immediate risk of death or serious injury. Where disclosure is to occur, the relevant member should notify the client.