

NFRC Membership Update THE NFRC ELECTION PROCESS

This report is to assist the membership with a better understanding of the election process for the National Fenestration Rating Council's Board of Directors.

It is the Board of Directors that helps to assure that NFRC continues to follow its goal of providing fair and accurate energy performance ratings for fenestration products. It is the Board that assures that ratings published by NFRC actually assist our stakeholders (building code officials, state energy offices, architects, specifiers, builders and the consuming public) in selecting, specifying or evaluating fenestration systems in terms of energy efficiency.

There are three general categories that make up the Board of Directors; the fenestration industry interests (5 seats); the lab interest (1 seat) and the general interest (6 seats). It should be remembered that NFRC is a 501(c)(3) organization; a charitable research and education association; not a trade or industry association. The Board of Directors is weighted towards the general interest to assure that we continue to work towards the public interest and the goals described above. Each category has specific definitions and characterizations defined by the bylaws and, of course, each potential candidate joined and pays dues to NFRC in a specific membership category, which is related to the various Board seats. The following are the descriptors that apply to each category:

Fenestration Industry - Five (5) representatives who are employed or affiliated with Members involved in manufacturing fenestration products or components or with Members who are trade associations or other organizations formed to represent such manufacturers. Of those five positions, at least three (3) shall be filled by one individual from each of the following categories: (i) a primary glass manufacturer; (ii) a manufacturer that sells the majority of its fenestration products for use in non-residential construction; and (iii) a manufacturer that sells the majority of its fenestration products for use in residential construction.

General Interest - Six (6) representatives who are employed or affiliated with Members that purchase or specify fenestration products; are involved in the regulation of the use of fenestration products and/or have a significant interest in promoting building energy efficiency including, but not limited to, consumer or public interest organizations, energy service providers, builders and other construction contractors, architects, engineers, attorneys, specifiers, state or local energy offices, building code agencies, institutions of research and higher education and trade associations or other organizations formed to represent any of those groups. Of those six positions, at least three (3) shall be filled by one individual from each of the following categories: (i) a representative of a state or local government energy or building code office; (ii) a not-for-profit institution of

research or higher education; and (iii) a not-for-profit consumer, environmental, energy efficiency or other public interest organization.

Laboratory - One (1) representative employed or affiliated with a Member who is a test or simulation laboratory.

It should be noted that the board is responsible for nominating NFRC members to fill these designated categories. In order to empower the membership and facilitate this process, a Request for Designation for Potential Nominees to the NFRC Board was created and is distributed to the members. This provides the Governance Committee and the Board with names to consider for nomination.

For those unfamiliar with NFRC's voting process, please note the following:

- First week of August – A letter goes out to the NFRC membership requesting designees for nomination to the Board of Directors.
- All designees are contacted by NFRC staff and asked to complete a questionnaire and return a biography (with assurance that they accept the designation for nomination).
- First week of September – The NFRC Governance Committee reviews the designees and prepares a slate of nominees in the applicable board categories for consideration by the Board of Directors.
- First week of October – The Board of Directors selects the nominees and confirms that they are in the appropriate categories for election.
- All approved nominees are notified of their status and a final slate is developed for the election (providing a final opportunity for a nominee to withdraw).
- Final slate is given to the contractors for posting
- Mid-October – Election begins.
- Mid November– Election closes.
- Election results are sent out in a report to the Board and NFRC members (and in a press release).
- New Board members are seated at Annual Board Meeting.

It should be noted that NFRC has moved towards electronic balloting to facilitate voting for our membership. Currently, the entire voting methodology is administered by an independent third party contractor (who developed the software specifically for these types of elections). NFRC staff hands off the voting information (approved nominees, related questionnaires and bio's and the NFRC membership list) to the contractor. The contractor is then responsible for sending out the voting announcement; managing the software and compiling the ballot results. In the end, NFRC staff gets a report of the ballot results; which is reported to the Board of Directors and the membership. NFRC staff assists the ballot by sending out voting reminders and assisting in obtaining corrected email addresses for members.

FAQ

1) *How does the Board determine which category to place designees for the election?*

There are several general determining factors for placing nominees in specific categories, including: their membership category and the type of business the organization operates; as well as the general category delineation – Does the organization represent the interests of the fenestration industry (i.e., will be they be purchasing, applying or using NFRC labels or label certificates)? If so, they belong in one of the industry categories. Will they be involved in signing license agreements with NFRC to participate in its programs? If so they probably belong in the industry category or lab category. Will the organization or person be involved in regulating, researching, buying or specifying fenestration products? If so, they probably belong in the General Interest Category.

2) *Why were designees (members designated for potential nomination) moved from one category to another?*

The Board is ultimately responsible for assuring that the make-up of the board meets both the intent and requirements of the bylaws; consistent with our designation as a 501(c)(3) organization. Therefore, the board reviews the available information regarding the designee (including a completed questionnaire) and makes the determination for nominating a member in the most appropriate category.

3) *What happens when a member is designated in more than one category?*

The Board reviews the available information regarding the designee (including a completed questionnaire) and makes the determination for nominating a member in the most appropriate category – based on the discussion under question #1 above.

4) *Why were people not allowed to withdraw from the election?*

Individuals designated to be potential nominees may withdraw at any prior to nomination by the Board. Nominees are given the opportunity to withdraw prior to the Board determination. Once designees are nominated by the board, they are given 7 days notification for the opportunity to withdraw from the election. Once the nominees' names have been entered into the website balloting system administered by the third party contactor – nominees cannot be removed.

5) *Why were write-in candidates not allowed?*

Any NFRC member has the right to designate potential nominees for the board within the time frames described above. The Board has the legal duty to approve nominees designated by the members. It should be noted that, to date, the Board has yet to turn down a designee desiring to be nominated; as long as the designated category is correct.

5) *Why were there so many candidates in one category and so few in others?*

The substantial majority of NFRC members are representatives in the fenestration industry category; therefore there are always numerous

candidates available in those categories. There are far fewer members who qualify for the General Interest categories on the Board. NFRC is making an effort to encourage more members in these categories.