

**Committee of Experts on the Transport of Dangerous Goods  
and on the Globally Harmonized System of Classification  
and Labelling of Chemicals**

**Sub-Committee of Experts on the Transport of Dangerous Goods**

**17 October 2011**

**Fortieth session**

Geneva, 28 November – 7 December 2011

Item 10 of the provisional agenda

**Other business**

**Request for consultative status by the Dangerous Goods  
Trainers Association, Inc. (DGTA)**

**Note by the secretariat**

The secretariat has received the attached application from DGTA for consideration at the December 2011 session.



September 9, 2011

Secretariat,  
UN Subcommittee of Experts on Transport of Dangerous Goods,  
Palais des Nations,  
Geneva.  
Switzerland

Dear Mr. Kervella,

The Dangerous Goods Trainers Association, Inc. (DGTA) is a non-profit organization with a global membership that promotes and develops exceptional competencies in dangerous goods professionals and instructors worldwide. The DGTA membership achieves this through education, communication, networking and voluntary professional certification. DGTA's ultimate goal is to enhance the safe transportation of dangerous goods through effective training and the development of highly competent dangerous goods professionals. DGTA requests consultative status to the United Nations Subcommittee of Experts on the Transport of Dangerous Goods. Please find attached an application for consultative status which will enable DGTA to contribute to the work of the TDG Sub-Committee.

We believe the enclosed application should be adequate for the Subcommittee to consider, however, if it can be arranged, with your assistance, a member of DGTA would like to attend the Fortieth session to respond to any questions that TDG Subcommittee members may have. If you do have any questions concerning our application, please do not hesitate to contact me.

Yours faithfully,

Leffe Soderman  
DGTA Chairperson

## **Application Form for Consultative Status.**

### **1. Name of organisation**

Dangerous Goods Trainers Association, Inc. (DGTA)

### **2. Contact information**

Dangerous Goods Trainers Association, Inc.

info@dgta.org  
c/o Joyce Beerbower, Vice Chairperson  
P. O. Box 9111  
Reston, VA 20195

### **3. Affiliated organisations**

DGTA is a non-profit organization with global membership that promotes exceptional competencies in dangerous goods professionals and instructors worldwide. This is achieved through education, communication, networking and voluntary professional certification. DGTA's ultimate goal is to enhance the safe transportation of dangerous goods through effective training and the recognition of highly competent dangerous goods professionals. Members are located in countries worldwide and membership is open to any individual that seeks to enhance their professional skills and promote the recognition of certified dangerous goods professionals and instructors.

DGTA is a non-profit organization registered in the Commonwealth of Virginia, United States of America. The operation of this Association is directed by its Bylaws and guided by operating policies and procedures adopted by the DGTA Board of Directors.

### **4. Activities of the organization.**

DGTA sponsors and promotes the development of an independent worldwide voluntary certification system for professionals and instructors involved in dangerous goods transportation. The Association provides a forum for its members, who subscribe to published standards, a professional code of ethics, and demonstrate expert subject knowledge and superior communication skills.

DGTA seeks to establish a global standard for certified dangerous goods professionals and instructors. All dangerous goods transportation professionals are offered the opportunity to attain certified recognition of their expertise by the successful completion of proven examinations that cover the core regulations as published in the UN Recommendations on the Transport of Dangerous Goods as well as specialty areas for specific modal requirements and/or State regulations. Furthermore, dangerous goods instructors may choose to apply for recognition as certified instructor by the demonstration of understanding of the recognized principles of instructional technology.

Shippers and carriers of dangerous goods can be confident that DGTA certified professional and instructors:

- Have proven competencies in the core dangerous goods regulations;
- Have demonstrated expertise in the regulations and relevant standards as are applicable to their areas of work; and
- Instructors meet the standards required by recognized instructional best practices.

By working with a DGTA Certified Professional, companies and regulators can expect a person who has a commitment to safety, quality training and their own professional growth. Better quality training improves the level of safety and the efficiency of all operations.

### **Certified Dangerous Goods Professional and Instructor Voluntary Certification Program**

The mission of the Dangerous Goods Trainers Association, Inc. (DGTA) is to promote and develop exceptional competencies in dangerous goods professionals and instructors worldwide through education, communication, networking and voluntary professional certification.

DGTA's accredited certification program covers the following regulations that govern the transportation of dangerous goods:

- United Nations Recommendations on the Transport of Dangerous Goods
- European Agreement Concerning the International Carriage of Dangerous Goods by Road
- International Civil Aviation Organization Technical Instructions
- International Maritime Organization IMDG Code
- Canadian Transportation of Dangerous Goods
- US DOT Hazardous Materials Transportation Regulations

### **Certified Dangerous Goods Professional (CDGP)**

The minimum criteria for a CDGP are:

- Proof of eligibility, acquired through education and/or experience that includes at least five (5) years direct experience in dangerous goods transportation
- 3 professional references attesting to the applicant's skill and knowledge in the dangerous goods transportation field
- Successful completion of the CORE exam (UN Modal Regulations) and at least one specialty area (modal or State regulations)

The CDGP must recertify in the CORE and their specialty(s) every five (5) years by means of a new examination process.

### **Certified Dangerous Goods Trainer (CDGT)**

DGTA has an established certification program that requires all Certified Dangerous Goods Trainers (CDGT) prove expertise in the dangerous goods regulations as well as competency in Instructional Technology. The minimum criteria for a CDGT are:

- Certification as a CDGP
- Proof of eligibility, acquired through education and/or experience that includes at least three (3) years direct experience in developing and/or delivering dangerous goods training
- A minimum of 270 hours in delivering and/or designing training
- 3 professional references attesting to the applicant's skill as an instructor
- Successful completion of the CIT exam or equivalent standard as recognized by the CDGT Exam Committee.

## **5. Confirmation of interest in the goals and objectives of the Sub-Committee.**

DGTA members have made valuable contributions to the work of the TDG Sub-committee in developing proposals and positions for consideration by the TDG Sub-Committee towards enhancing the quality of dangerous goods training and professional development. Several members have participated in past meetings as members of expert delegations and one member served as the chairman of the TDG Subcommittee. The work currently being undertaken by DGTA is consistent with the TDG Subcommittee's ultimate goal of enhancing the safe transport of dangerous goods. DGTA strives to enhance the knowledge and competencies of dangerous goods professionals and instructors. This in turn leads to enhanced compliance and safety. DGTA participation as a consultative member will serve to enhance the effectiveness of the TDG Subcommittee in meeting its strategic goals.

Appropriate training is one of the most important and fundamental components that contributes to the safe transport of dangerous goods and the prevention of incidents that result in harm to the public and the environment. Instructors must have subject matter expertise and be able to effectively communicate the critical components of the subject matter to their audience. A quality dangerous goods training program should thoroughly cover the current regulations and any impending regulatory changes. DGTA members are dedicated to ensuring that the transportation community receives the highest quality of training and subscribe to the DGTA Code of Ethics and Professional Conduct. This Code

emphasizes the safety and security of people, property and the environment. It defines the obligations, professional conduct, and personal practices necessary to promote the highest standards within our professions. Consistent with members of the UN TDG Subcommittee, DGTA members hold paramount the safety and security of people, the protection of the environment and protection of property in the performance of professional duties; exercise their obligation to advise employers, clients, employees, the public, and appropriate authorities of danger and unacceptable risks to people, the environment, or property.

#### **6. Copies of the financial statements.**

The following publications are attached:  
Financial Statement 2008/09/10/11

#### **7. The governing body of the organization.**

The operation of DGTA is managed by an elected board of directors. The current board comprises:

<b>Leif Soderman</b> , Chair	Optimal Assistans
<b>Peter Mackay</b> , Past Chair	Hazardous Cargo Bulletin
<b>Joyce Beerbower</b> , Vice Chair	Safety & Compliance Services, Inc.
<b>Haldis Fearn</b>	HMF2, LLC
<b>Michael Bowen</b>	DG Supplies, Inc.
<b>Debbie Hape</b>	Pfizer, Inc.
<b>Kevin Swinden</b>	Global HazMat, Inc.

DGTA is an international organization whose members provide professional services and/or training in over 70 countries across 5 continents. Membership is open to all persons working or having an interest in dangerous goods transportation and/or dangerous goods transportation training.

#### **8. Constitution and/or by-laws of the organization**

A copy of DGTA's By-Laws, policies and procedures is attached.

#### **9. Publications of relevance to the work of the Sub-Committee**

DGTA has developed resources to assist dangerous goods professionals and instructors that can be found on our website at:

<http://www.dgta.org/training-tips.php>



## THE DANGEROUS GOODS TRAINERS ASSOCIATION BY-LAWS, POLICIES AND PROCEDURES

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The Dangerous Goods Trainers Association, Inc. (DGTA) sponsors and promotes the development of an independent worldwide voluntary certification system for professionals and instructors in dangerous goods transportation. The Association provides a forum for its members who subscribe to published standards, a professional code of ethics, and demonstrate expert subject knowledge and superior communication skills.

DGTA is a non-profit organization. The operation of this Association is directed by the Bylaws and guided by operating policies and procedures adopted by the DGTA Board of Directors.

This is a compilation of the DGTA by-laws, operating policies and procedures and is intended to educate DGTA members and ensure smooth association business.

- **Article I — Name**
- **Article II — Objective, purposes and responsibilities**
- **Article III — Membership**
- **Article IV — Board of Directors**
- **Article V — Meetings**
- **Article VI — Other Committees**
- **Article VII — Amendments**
- **Article VIII — Antitrust Policy**

### **Article I — Name**

The name of this organization shall be Dangerous Goods Trainers Association, Inc (DGTA) and shall operate as a non-profit organization under the laws of the Commonwealth of Virginia, United States of America.

### **Article II — Objective, purposes and responsibilities**

The objectives, purposes, and responsibilities of the Dangerous Goods Trainers Association shall be to:

1. Provide a forum for discussion and education on national and international regulations as these relate to the development and training of personnel in dangerous goods transportation
2. Facilitate the development of an accredited international voluntary certification system for dangerous goods transportation professionals and instructors.
3. Promote national and international standards for professionals and instructors in dangerous goods transportation
4. Promote the acquisition of professional skills by its members
5. Promote continuing professional development for all dangerous goods transportation professionals and instructors



## THE DANGEROUS GOODS TRAINERS ASSOCIATION BY-LAWS, POLICIES AND PROCEDURES

### Article III — Membership

1. Membership shall be available to all persons working or having an interest in dangerous goods transportation.
2. All members shall have the right to vote in matters requiring a vote by the association, except as specified otherwise in these Policies and Procedures.

### Article IV — Board of Directors

1. Composition, Nominations and Appointments
  - A. The Board of Directors, including its officers as defined below, shall comprise no fewer than five (5) or more than seven (7) persons, all of whom must be members of the association.
  - B. It shall be the objective of the association to nominate and elect Board members representative of the various disciplines and geographic areas within the membership, while recognizing that this may not always be possible.
  - C. Nominations to the Board shall be made by the members. In the absence of nominations at the time of any Board election, the Board shall have the right to appoint or re-appoint its members.
  - D. The Board of Directors shall elect its own officers from among the members of the Board, past Board members, and/or the membership at large.
2. Elections
  - A. Elections shall be held annually, prior to the annual meeting of the association. In the absence of more nominations than the number of vacant Board positions, elections shall be deemed unnecessary, deferred to the next year, and those nominated shall assume a position on the Board.
  - B. In elections, members may vote for nominees in a number equal to the number of vacancies on the Board, with no more than one vote for each Board vacancy.
  - C. All voting shall be by secret ballot, or electronic ballot controlled by the staff of the association. A simple majority only is needed for success in all voting, unless specified otherwise in these Policies and Procedures. Results of the voting will be included in the minutes.
3. Responsibilities
  - A. The Board of Directors shall develop and oversee the execution of these By-Laws, Policies and Procedures, and, in general, direct the affairs of association. The Board may delegate to staff, members or committees of the Board, or other members or committees specific responsibilities on its behalf.
  - B. Delegated responsibilities shall be subject to review and approval by the entire Board at its next meeting.



## THE DANGEROUS GOODS TRAINERS ASSOCIATION BY-LAWS, POLICIES AND PROCEDURES

### 4. Board Terms of Office

Board members shall be elected to serve a four (4) year term, for no more than two (2) consecutive terms. Board members who have served two consecutive terms shall be eligible for re-nomination and election to the Board following a one (1) term (4 years) hiatus from Board service. If a board member has served one or more terms that are less than 4 years in length, the board member may run for a third term as long as the total time on the board does not exceed 10 years in total.

### 5. Officers and Terms of Office

- A. The officers shall be Chair, Vice Chair, and Past Chair, all of whom must be members of the association. Officers shall be eligible for re-election for no more than one (1) additional year during any period of service. The secretarial function will be a roving function. Each board member who is not board chairperson will take a turn serving as meeting secretary for a total of at least 2 times per year.
- B. Once elected, the term of the Chair and Past Chair shall be according to the term of the office, not the regular Board nomination and election cycle.
- C. If the office of Chair becomes vacant for any reason, the Vice Chair shall become Chair for the remainder of the term, and a new Vice Chair elected unless the board unanimously agrees to a different chair, in which case the vice chair will remain in that position.
- D. The Chair shall be the executive head of the association and exercise the functions generally associated with that office, including all appointments with the advice and consent of the Board. The Chair shall preside at, and conduct all meetings, and shall represent, or designate a representative for the association at other events and occasions as required.
- E. The roving secretary will keep records of the Board meetings. Each Board member, who is not the board chairperson, will serve as secretary for at least two meetings per year, whether at a Board meeting or a general membership meeting. Their duties will be to record the minutes of the meetings of the association, provide the Board with a report of the minutes, and send a summary to the membership.

### 6. Executive Committee

- A. The Executive Committee of the Board of Directors shall comprise the Chair, Vice Chair, and Past Chair, and may include by selection of the Board one (1) other member of the Board.
- B. The duties of the Executive Committee are to manage the general affairs of the Board, as determined by the Board in its meetings, over the time between Board meetings, and in situations in which decisions must be made and a Special Board Meeting is not possible or practical. All actions and decisions of the Executive Committee shall be subject to subsequent review and approval by the full Board.
- C. The Executive Committee shall confer prior to association meetings to develop the meeting agenda, recommendations for actions, and any other matters relevant to the association.





## THE DANGEROUS GOODS TRAINERS ASSOCIATION BY-LAWS, POLICIES AND PROCEDURES

### Article V — Meetings

#### 1. Annual and Member Meetings

- A. One meeting of the association each year shall be designated as the annual meeting of the association.
- B. Member meetings may be scheduled at varying times, frequencies, and at national and international locations chosen to the extent possible for the convenience of the members. As a general principle, meetings will be scheduled whenever possible in conjunction with other meetings commonly attended by the members. Other than a designated annual meeting, there shall be no required number of meetings each calendar year.

#### 2. Board of Director Meetings

The Board of Directors shall meet just prior to or following the annual and member meetings of the association. The Board's annual meeting shall coincide with the annual meeting of the association.

#### 3. Special Meetings

Special meetings may be called by Executive Committee or the Board of Directors, as deemed necessary for the execution of the affairs of the association.

#### 4. Open Meetings and Procedures

In accordance with the laws of the Commonwealth of Virginia, all meetings must be open to all members of DGTA and invited non-members guests. The conduct of meetings shall be orderly, following a published agenda but allowing full expression of views by all persons in attendance. Guests may speak, but may be limited to an appropriate time limit as determined by the Chair. The Board shall strive to reach all decisions through a consensus process, resorting to formal voting only when a consensus is not possible.

#### 5. Notice of Meetings

- A. Notice of the annual meeting and member meetings of the association shall be published to the membership by any conventional means (e-mail, web site notice, letter, etc.) at least thirty days prior to the event.
- B. Notice of Board, committee or task group, and special meetings of all kinds shall be published to the membership by any conventional means at least ten days prior to the event.

#### 6. Quorum

- A. For annual and member meetings, except as provided in sub-paragraph B, below, a quorum shall be established by the attendance of a minimum of ten percent (10%) of the members of record at the time of the published announcement of the meeting.
- B. If an Annual membership meeting is held in conjunction with the Annual Conference of the Association, then twenty five percent (25%) of the members who are registered at such conference shall constitute a quorum.
- C. For Board, committee and task group meetings, a quorum shall be established by the attendance of at least fifty percent (50%) of the group's members.



## THE DANGEROUS GOODS TRAINERS ASSOCIATION BY-LAWS, POLICIES AND PROCEDURES

### Article VI — Other Committees

1. Examination Development Committee
  - A. The Chair shall appoint a committee chair and volunteers to an Examination Development Committee, for the purpose of developing a voluntary certification system to include candidate eligibility and qualifications, tests, and periodic re-certification requirements.
  - B. The volunteers appointed to this committee need not be members of the association, and public participation shall be encouraged to the maximum extent practicable.
2. Other Committees and Task Groups
  - A. As the needs of the association develop, the Board of Directors may recommend and the Chair appoint other standing or ad hoc committees or task groups, including a chairperson for each such committee or task group. As a general principle, standing committees shall be kept to the minimum necessary for the sound functioning of the association, and ad hoc committees or task groups assigned for the life of specific projects or activities.
  - B. Each committee or task group shall schedule and hold meetings necessary for the conduct of its business. A report shall be made by the committee or task group chair at association or Board meetings, as appropriate.
  - C. The conduct of committee and task group meetings shall be orderly, following a published agenda but allowing full expression of views by all persons in attendance. Guests may speak, but may be limited to an appropriate time limit as determined by the committee or task group chair. Committees and task groups shall strive to reach all decisions through a consensus process, resorting to formal voting only when a consensus is not possible.

### Article VII — Amendments

1. Amendments to these Policies and Procedures may be made by a majority vote of the Board of Directors at any time, providing that a draft of the proposed amendments are published to the membership at least thirty days prior to the date of proposed effectiveness. In the event of substantive comment or objections to the proposed amendments by the members, the Board will review their amendment with a view towards a need to accommodate the comments or objections, and re-issue the amendments following the same procedure.
2. If, in the opinion of the Board comments and objections to proposed amendments are trivial, irrelevant, or contrary to the proper, appropriate, ethical or legal conduct of the affairs of the association, the Board shall have no obligation to follow those comments or objections.

### Article VIII — Antitrust policy

1. At every Board, annual or member meeting, and committee or task group meetings, attendees shall be reminded of the need for strict compliance with the antitrust laws. It shall be the special responsibility of Committee Chairs to ensure that this policy is known and adhered to in the course of activities pursued under their leadership.



## THE DANGEROUS GOODS TRAINERS ASSOCIATION BY-LAWS, POLICIES AND PROCEDURES

2. Each member shall have the personal responsibility of familiarizing themselves with the relevant antitrust laws and restrictions placed upon them by these laws, and shall not look to association for specific guidance or relief in this regard.

### DGTA Antitrust policy

Section 1 of the Sherman Antitrust Act and Section 5 of the Federal Trade Commission Act prohibit “contracts, combinations or conspiracies in restraint of trade and unfair methods of competition in commerce...”

To ensure strict compliance with the antitrust laws, this statement of DGTA Antitrust Policy has been prepared for the membership. These clearly-defined statements of conduct must always be kept in mind, and all meetings of the Association, its Board of Directors and other activities must be conducted in accordance therewith.

One of the clearest antitrust violations an association can commit is an agreement by its members to set prices at a fixed level. Such an agreement is a PER SE violation of the antitrust laws, even if the prices set are reasonable or the ends sought are worthy. Similarly, terms and conditions of sale that affect the buyer should not be discussed. These include discounts, freight allowances, terms of product warranties and other individual policies followed in dealing with customers. Informal understandings and planned course of action on these subjects by competitors also clearly are forbidden.

Administrative or disciplinary action against members or expulsion of members may result in economic injury to the affected members and thus, may constitute an illegal boycott or restraint of trade. Such actions have not occurred in DGTA, and there appears little likelihood that they will. However, these sensitive areas must be discussed in accordance with strictly defined legal guidelines and only in the presence of counsel.

Statistical reporting projects must be conducted with great care in order to conform to clearly-defined rules regarding the collection and dispersal of confidential information. Antitrust problems also may arise when associations become involved in industry-wide research and development programs. When pooling of results exists, association-sponsored joint research and development activities may injure competition by diluting the competitive pressure to innovate. The proper conduct of Association meetings requires an understanding and conscious awareness by all of antitrust implications. Nonparticipation in the discussion pro and con may not protect an individual if, out of such discussions at a meeting attended, any agreement in restraint in trade originates.

However, no imputed unlawful purpose can arise if conscious independent and individual judgment is exercised and no illegal common course of action is pursued. To assist in avoiding antitrust problems at Association meetings, a list of three DON'TS has been prepared. You should read and remember these three basic rules:



**DGTA**  
DANGEROUS GOODS  
TRAINERS ASSOCIATION

## **THE DANGEROUS GOODS TRAINERS ASSOCIATION BY-LAWS, POLICIES AND PROCEDURES**

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1. Don't discuss the prices your company will charge customers.
2. Don't discuss discounts, terms or conditions of sale, warranty terms, profits or profit margins, shares of the market, bids or the intent to bid, rejection or termination of customers, sales territories or markets.
3. Don't propose or discuss any proposal, in the absence of specific legal guidance, that the council sponsor engage in any activity which may have the effect of producing an adverse economic impact on some companies.

Antitrust laws are wide-ranging, complex and subject to changing interpretations. Consult counsel immediately if you have questions about the legality of any proposed Association action.

## DGTA Financial Report in US\$

	2008	2009	2010	June 2011
<b>Revenues</b>				
<b>Membership Dues</b>	2,250	12,650	11,460	8,775
<b>Workshops</b>	0	5,795	6,820	0
<b>Total Revenues</b>	<b>2,250</b>	<b>18,445</b>	<b>18,280</b>	<b>8,775</b>
<b>Direct Expenses</b>				
<b>Contract Expenses</b>	425	425	0	0
<b>Contract Labour</b>	750	0	1,895	0
<b>Meetings</b>	0	0	0	486
<b>Supplies/Printing</b>		968	1,365	447
<b>Travel</b>	1,481	6,716	1,374	658
<b>Total Direct Expenses</b>	<b>2,656</b>	<b>8,109</b>	<b>2,234</b>	<b>1,591</b>
<b>Contribution</b>	<b>(406)</b>	<b>10,336</b>	<b>16,046</b>	<b>7,184</b>
<b>Overhead Allocation</b>	225	2,215	2,742	1,316
<b>Net Profit/(Loss)</b>	<b>\$ (631)</b>	<b>\$ 8,121</b>	<b>\$ 13,304</b>	<b>\$ 5,868</b>

These are unaudited financial summaries. Some expenses are estimates based on good faith best knowledge.