

**2002 Bylaws
Technical Working Group for
Fire and Explosions**

1. NAME:

- 1.1. The name of this organization shall be the Technical Working Group for Fire and Explosions, hereinafter referred to as TWGFEX.
- 1.2. The mailing address shall be: Chair, TWGFEX, P.O. Box 162367, Orlando, FL 32816-2367

2. PURPOSE:

- 2.1. The purpose of TWGFEX is to promulgate and foster development of:
 - 2.1.1. National protocols and/or guides for the collection and analysis of fire and explosion debris, and residues,
 - 2.1.2. Training and quality assurance guidelines for fire and explosion scene personnel and laboratory practitioners
 - 2.1.3. Job descriptions for practitioner positions.
- 2.2. Toward this end, TWGFEX shall:
 - 2.2.1. Develop and carry out programs and activities to achieve the above purpose.
 - 2.2.2. Encourage research and development of new techniques in the field of forensic fire and explosion investigation and laboratory analyses.

3. ORGANIZATION:

- 3.1. The National Center for Forensic Science (NCFS) is the sponsor of TWGFEX and will assist TWGFEX in achieving its purpose.
 - 3.1.1. The Scientific Functional Committees, shall be designated as the Scientific Working Group for Fire and Explosions (SWGFEFEX) and will receive partial funding through the Bureau of Alcohol Tobacco and Firearms administered through the National Center for Forensic Science.
- 3.2. TWGFEX shall be divided into administrative and functional Sub-committees:
 - 3.2.1. Administrative Committees
 - 3.2.1.1. Executive
 - 3.2.1.2. Research
 - 3.2.1.3. Communications
 - 3.2.1.4. Membership
 - 3.2.2. Functional Committees – Scene
 - 3.2.2.1. Scene Training and Education (Includes Information and Resources)
 - 3.2.2.2. Scene Guidelines (Includes Legal Considerations)
 - 3.2.2.3. Scene Safety
 - 3.2.2.4. Job Requirements and Certifications for Scene Investigators

3.2.3 Functional Committees – Scientific (SWGFEFEX)

- 3.2.3.1 Laboratory Fire Standards and Protocols
- 3.2.3.2 Laboratory Explosives Standards and Protocols
- 3.2.3.3 Laboratory Fire Education and Training
- 3.2.3.4 Laboratory Explosives Education and Training
- 3.2.3.5 Laboratory Explosive Job Requirements
- 3.2.3.6 Ignitable Liquids Reference Committee

3.3 Committees may be created or abolished by a simple majority vote of the Executive Committee.

3.3.1 Recommendations for creation or abolishment of committees may be made by petition to the Executive Committee signed by ten (10) TWGFEFEX members.

3.3.2 Committees that have completed their assigned tasks or become inactive may be placed into an inactive status by a simple majority vote of the Executive Committee.

3.3.2.1 These committee members will constitute a reserve pool from which new committees may be formed.

3.3.2.2 TWGFEFEX members in a reserve status may also be appointed to existing or new committees based on available openings in those committees.

3.3.3 Ad Hoc Committees may also be appointed at the Chair's discretion.

4. MEMBERSHIP:

4.1 All TWGFEFEX members must be practicing professionals involved in the investigation and/or training/education of fire and/or explosion incidents, and/or the laboratory analysis of fire and explosion debris and residues, except those identified in 4.2.

4.1.1 Members must have three (3) years work experience in their discipline.

4.1.2 Members are encouraged to present TWGFEFEX with a letter from their organization's appropriate administrative authority acknowledging their approval for the member's participation.

4.1.2.1 A membership application shall be filled out for every member, and held on file by the Membership Committee.

4.1.2.2 Membership applications shall be designed, revised, disseminated and maintained by the Membership Committee.

4.1.3 Prospective members shall fill out a membership application that has the signed support of two members. All candidates for membership shall be subject to review by the Membership Committee.

4.1.4 The Membership Committee will consider representative criteria such as: agency type (federal, state, local, private), geographical area, prior committee service, etc.

- 4.1.5 No person shall be denied membership for reason of race, sex, creed, or religion.
- 4.1.6 TWGFEX shall collect no monetary dues payments from its members.
- 4.1.7 The members of the Scientific Working Group for Fire and Explosions (SWGFEFEX) subcommittee shall be subject to additional review by a designee of the Bureau of Alcohol Tobacco and Firearms (ATF).
 - 4.1.7.1 The purpose of this review is to designate those SWGFEX members, from state or local jurisdictions who will receive financial support for meeting attendance by ATF.
 - 4.1.7.2 This number shall not exceed thirty-five (35) persons.
 - 4.1.7.3 The total number of individuals comprising SWGFEX shall be limited to fifty (50).
- 4.2 It may be necessary to add members outside of the fire and explosion scene investigation or laboratory analysis field as stated in 4.1. This would occur when special expertise is required (e.g. in the fields of safety, training, quality assurance, and legal issues) which cannot be provided by a person as described in 4.1.
 - 4.2.1 Committee Chairs who have identified such individuals may request a membership exemption in writing to the Executive Committee.
 - 4.2.2 The Executive Committee must approve such an exemption by a simple majority vote of those present.
 - 4.2.3 The individual's name and the exemption may then be submitted to the Membership Committee who will examine them under the same review and approval process as stated in 4.1.2.1.
- 4.3 All members of TWGFEX shall be a member of one of the functional or administrative committees of TWGFEX.
- 4.4 In order to mitigate the expenses incumbent upon the sponsor (NCFS), functional committees shall be limited to maximum number(s) of members for which the sponsor (NCFS) is responsible for travel reimbursements and NCFS shall have the final decision on funding.
 - 4.4.1 This does not limit the size or membership of committees to a maximum number. It limits the number of members for which the sponsor (NCFS) is responsible for funding.
 - 4.4.1.1 A member's employing agency may assume all travel, lodging, and board accommodations for their employees.
 - 4.4.1.2 No TWGFEX committee may have more than 30% of its members from any single agency.
- 4.5 As the work of TWGFEX is primarily limited in scope to the United States, no fewer than 95% of TWGFEX members should be from the United States. Members may be from countries other than the United States, but must receive approval of simple majority of the Executive Committee after acceptance by the Membership Committee.

- 4.6 Membership in TWGFEX entitles the holder to:
 - 4.6.1. One vote per member-
 - 4.6.2. To vote in all assigned committee(s) and TWGFEX meetings, functions, or assigned projects.
- 4.7 Termination of Membership
 - 4.7.1 By written request of the member to the Chair of TWGFEX. The Chair shall inform TWGFEX of such termination at the next regular meeting.
 - 4.7.2 Members may also be involuntarily terminated for cause. Cause is defined as: unethical conduct, conduct detrimental to the welfare of TWGFEX, nonparticipation, or a change in principal occupation.
 - 4.7.2.1 Charges of unethical conduct or conduct detrimental to the welfare of TWGFEX or nonparticipation must be presented to the Executive Committee as a signed letter of complaint and must document reason(s) justifying the charge.
 - 4.7.2.1.1 Should the subject of such a charge be a member of the Executive Committee, the charges are to be presented to the Director of NCFS.
 - 4.7.2.2 The Chair of TWGFEX shall appoint a panel of three members to conduct an investigation of the charges.
 - 4.7.2.2.1 Should the subject of the investigation be a member of the Executive Committee, the Director of the NCFS shall appoint a committee of three TWGFEX members to conduct an investigation.
 - 4.7.2.3 Persons charged shall be allowed forty-five (45) days after receiving written notification of charges to prepare a written appeal to the Executive Committee.
 - 4.7.3 Membership will be terminated involuntarily by a simple majority vote of TWGFEX Executive Committee after a thorough review of the written report of investigation of the charges being submitted.
 - 4.7.3.1 Should a member of the Executive Committee be the subject of investigation, they may be terminated involuntarily by a simple majority vote of TWGFEX membership after a thorough review of the written report of investigation of the charges being submitted.
- 4.8 The sponsor (NCFS) shall defend and indemnify every member acting on behalf of TWGFEX on any matter involving TW GFEX.

5. OFFICERS:

- 5.1. The officers of TWGFEX shall consist of the following and shall hold terms of office as indicated:
 - 5.1.1. Chair, two (2) years
 - 5.1.2. Vice-Chair, two (2) years

5.1.3. Committee Chairs/Vice-Chairs, three (3) years

5.1.3.1. Committee Chairs/Vice Chairs terms may not exceed the period of time which their committee is in existence.

5.1.3.2. If a committee is placed in an inactive status, the former chair shall be moved to regular member status.

5.1.4. Executive Secretary, three (3) years

5.2. Elections

5.2.1. All officers may serve up to two consecutive terms.

5.2.2. TWGFEX Chair, Vice Chair and Executive Secretary shall be elected by a majority vote of a quorum of members at the last TWGFEX Meeting of the current office holder's term.

5.2.3. A Nominating Committee for the election of the functional committee Chair/Vice Chair shall be comprised of two TWGFEX Committee Chairs and two members at large appointed by the Vice Chair at the first TWGFEX Meeting of the last year of their term of office.

5.2.4. TWGFEX Committee Chairs/Vice-Chairs will be elected by a majority vote of a quorum of committee members at the last TWGFEX Meeting of their term of office.

5.2.5. Voting may be by ballot or a show of hands with the numbers recorded in the minutes.

5.2.6. A quorum consists of 60% of the members of TWGFEX. No proxies will be accepted.

6. DUTIES OF OFFICERS:

6.1. Chair of TWGFEX shall preside over general meetings, the Executive Committee, any and all special committees (SWGFEFEX), and recommend establishment of committees as necessary. The Chair shall also make recommendations and assign tasks to committees as necessary. The Chair shall also appoint ad hoc committees as necessary.

6.2. Vice-Chair of TWGFEX shall assist the Chair in his or her duties and act for the Chair in his or her absence.

6.3. Executive Secretary of TWGFEX shall record the minutes of all meetings and maintain written records and membership rolls for TWGFEX. Shall prepare official correspondence for TWGFEX at direction of the Chair/Vice Chair. Shall communicate TWGFEX minutes to members.

6.4. Committee Chairs/Vice-Chairs shall preside over their committee meetings and as directed by Chair/Vice Chair prepares written progress reports.

7. MEETINGS:

7.1. TWGFEX shall have at least one open general meeting per year.

7.2. The Chair of TWGFEX may call for additional meetings at any time.

- 7.3. To the extent possible, notice of the meetings will be communicated to each member at least sixty (60) days before the meeting date.
- 7.4. Public announcement of TWGFEX meetings will be made.
- 7.5. TWGFEX meetings will be open to all interested parties.
- 7.6. Visitors may be invited to attend TWGFEX meetings at the discretion of the Chair/Vice Chair of TWGFEX and the Director of the NCFS.

8. COMMITTEES:

- 8.1. Committee Chairs will be elected by the provisions of 5.2.
- 8.2. The Chair of TWGFEX will appoint a standing Membership Committee.
 - 8.2.1. TWGFEX Membership Committee will have five members; TWGFEX Vice Chair, the Chair/Vice-Chairs of two functional committees and two members at large.
 - 8.2.2. The Membership Committee shall review and approve/disapprove all candidates for membership.
- 8.3. The Chair of TWGFEX shall elicit nominations to the Research and Communications committees from the membership at the first TWGFEX Meeting of the last year of their term of office. The Executive Committee shall make the final selection and appointment from this pool of nominations.
 - 8.3.1. The Research Committee shall consist of a maximum of five TWGFEX members (at large or officers).
 - 8.3.1.1. The tasks of the Research Committee are to: coordinate recommendations for research proposals, to assist worthy proposals with the preparation of grant applications, to report on the status of research projects to TWGFEX membership.
 - 8.3.2. The Communications Committee shall consist of a maximum of five TWGFEX members (at large or officers).
 - 8.3.2.1. The tasks of the Communications Committee are to: Examine and recommend changes to the design of TWGFEX portion of the NCFS Website, facilitate the increased use of the website and secure communications, and encourage communication between members and chairs.

9. EXECUTIVE COMMITTEE:

- 9.1. The Executive Committee shall consist of TWGFEX Chair, Vice-Chair, Director of the NCFS, one NCFS Director's Designee, five (5) Committee Chairs/Vice-Chairs, and the Executive Secretary as an ex-officio member.
 - 9.1.1. The five (5) Committee Chairs/Vice-Chairs on the Executive Committee shall be nominated and elected by TWGFEX members attending the last TWGFEX Meeting of the last year of the Chair's term of office or by absentee ballot to be received within fifteen (15) days from the postmark of the mailing.

9.1.1.1 The nominees will be listed and posted on the TWGFEX portion of the NCFS website and the membership shall vote for no more than five.

9.1.1.2 The Executive Secretary shall tabulate these votes and announce the results on the website.

9.2 The Executive Committee shall sit as an executive advisory panel and shall complete the tasks assigned to it in the various sections of these by-laws.

10. PARLIAMENTARY AUTHORITY:

10.1. Robert's Rules of Order Newly Revised shall govern the general meetings of TWGFEX in all cases to which its rules are applicable.

10.2. The Chair is to appoint a parliamentarian at the beginning of each meeting.

11. AMENDMENTS TO THE BYLAWS:

11.1. Proposed amendments to the Bylaws shall be submitted to the Executive Committee of TWGFEX forty-five (45) days prior to a scheduled meeting and the membership will receive proposed amendments from the Chair at least thirty (30) days prior to a meeting.

11.2. Amendments to bylaws shall require a two-thirds positive vote of TWGFEX members.

12. FINANCES:

12.1. TWGFEX will have no funds or assets.

12.2. Its sponsor (NCFS) to the extent possible will fund TWGFEX operating expenses.

12.3. The sponsor (NCFS) shall have sole authority in all financial related matters.

13. COMMUNICATIONS:

13.1. All official TWGFEX communications, oral and written, to entities other than the sponsor (NCFS) or outside of TWGFEX must be approved by the Chair/Deputy Chair of TWGFEX and the Director/Deputy Director of the sponsor (NCFS).

13.2. Communications include, but are not limited to, speeches, letters, reports, records, surveys, protocols, guidelines, etc.

13.3. Communications described in 13.2 shall be considered the intellectual property of TWGFEX.

14. ACTION ITEMS:

14.1. An action item is defined as the professional work product of TWGFEX. Action items would include such work products as protocols, training guidelines and position requirements.

14.2. Action items will generally be ratified in a two-stage process. First, the action item must be approved by a two-thirds vote of the sponsoring committee and conveyed to the Chair of TWGFEX for review by the membership of TWGFEX. The recommended review period should be for a minimum of sixty (60) calendar days. Second, the Chair of TWGFEX will present the action item to TWGFEX membership for discussion and ratification. Ratification requires a two-thirds vote of TWGFEX membership.

14.3. Administrative procedures for TWGFEX are as follows: Action items must be approved by a two-thirds vote of the sponsoring committee.

- 14.3.1 Action items shall be characterized as either:
- 14.3.2.1 An Article – This is a document prepared by a committee to (1) advertise the work of the committee or (2) elicit input from individuals outside the committee. It is intended for publication in an appropriate venue (Journal of Forensic Science, Fire and Arson Investigator, Regional Newsletters, etc...).
 - 14.3.2.2 A Position – This is a document prepared by a committee that proposes that TWGFEX support and endorse a particular point of view on a subject germane to the purpose of TWGFEX. It may be used to submit TWGFEX endorsed changes or additions to other standards/guide making organizations (ASTM, NFPA, etc...).
 - 14.3.2.3 A Guide – A document that outlines a series of options or instructions. It does not recommend a specific course of action. The Guide suggests an approach that may allow the user to achieve their goal.
 - 14.3.2.4 A Standard – A document that outlines a series of actions and instructions. It recommends a specific course of action. A Standard fully defines procedures that will allow a user to achieve their goal.
 - 14.3.2.5 A Product – Material(s), to be produced by NCFS or a NCFS selected contractor, which are either designed, developed, or reviewed by TWGFEX committees (e. g. Ignitable Liquids Database, Ignitable Liquids Repository, Certified Forensic Fire Investigator Program, Seminars, Symposia, Surveys, etc...)
- 14.3.3 The sponsoring committee shall categorize the action item as either a DRAFT or FINAL version.
- 14.3.4 DRAFT and FINAL Articles, Positions, and Products do not require a period of public review prior to dissemination. Products will either stand or fall based on their perceived value to their customer base. The very nature of Articles and Positions will be to elicit the comments of the affected communities.
- 14.3.4.1 They may be created and recommended to the Chair of TWGFEX at any time by a committee.
 - 14.3.4.2 It is the discretion of the chair to either take action by remote communication or wait until a quorum has gathered at a general session.
 - 14.3.4.3 The Chair will cause the Executive Secretary to disseminate a copy of the Article/Position or description of the Product to the members of TWGFEX along with a ballot.
 - 14.3.4.4 If in general session, the Chair shall set aside an appropriate amount of time for members to read the article/position or description of product. The chair of the sponsoring committee or their designee shall be available for a short discussion period prior to a vote by the general body.

- 14.3.4.5 If action is taken by remote communication, the article/position or description of product shall be mailed to TWGFEX members. Members will have fifteen (15) days from the postmark of the mailing to return their ballot.
- 14.3.4.6 A positive vote by a two-thirds majority of TWGFEX members who are present at the general meeting or who respond before the end of the mail balloting period shall be sufficient to pass the article/position or description of product.
- 14.3.4.7 Draft products may be provided to select focus groups prior to any general session actions in order to obtain feedback for developing the FINAL PRODUCT.
- 14.3.5 DRAFT and FINAL Drafts of Guides and Standards require a period of review.
 - 14.3.5.1 DRAFT Guides and Standards may be proposed at any time by a sponsoring committee. They are to be submitted to the TWGFEX Chair.
 - 14.3.5.2 The TWGFEX Chair will ensure that the DRAFT document is posted to the NCFS website for a period of no less than twenty-one (21) days for member review.
 - 14.3.5.3 Comments received will be directed to the sponsoring committee
 - 14.3.5.4 Based on review and comments the sponsoring committee must either 1) abandon the Guide or Standard, 2) Modify and submit a new DRAFT, or 3) prepare a FINAL DRAFT version of the Guide or Standard.
 - 14.3.5.5 FINAL DRAFTS of Guides and Standards must be posted to the NCFS website for a period of no less than sixty (60) days for public review.
 - 14.3.5.6 Comments received from the public review will be directed to the members.
 - 14.3.5.7 After the appropriate review period, FINAL DRAFT Guides or Standards may be taken to the members of TWGFEX for final action or be referred back to the sponsoring committee.
 - 14.3.5.8 For final action, it is the discretion of the Chair to take a vote by remote communication or wait until a quorum has gathered at a general session.
 - 14.3.5.9 The Chair will cause the Executive Secretary to disseminate a copy of the-FINAL DRAFT Guides or Standards to the members of TWGFEX along with a ballot
 - 14.3.5.10 If in general session, the Chair shall set aside what he or she determines to be an appropriate amount of time for members to read the FINAL DRAFT Guides or Standards. The Chair of the sponsoring committee or their designee shall be available for a short discussion period prior to a vote by the general body.

14.3.5.11 If action is taken by remote communication, the FINAL DRAFT Guides or Standards shall be mailed to TWGFEX members. Members will have fifteen (15) days from the postmark of the mailing to return their ballot.

14.3.5.12 Positive vote by a two-thirds majority of TWGFEX members who are present at the general meeting or who respond before the end of the mail balloting period shall be sufficient to pass the Guides or Standards.

15. **VOTING:**

15.1 One vote per member

15.2 The terms “majority” or “simple majority” are defined as one vote above fifty percent of all positive and negative votes received, within the voting time frame as defined in the by-laws.

15.3 The term “two-thirds majority” will be determined by the total number of positive and negative votes received within the voting time frame as defined in the by-laws.

15.4 The terms “abstentia” or “abstained” are defined as a non-vote and will not be counted against the total number of votes cast.

15.5 Voting may be by ballot or by show of hands.