



Unauthorized Use of Certification Policy

This policy prohibits unauthorized use of credentials issued by the Board of Certified Safety Professionals.

Scope

BCSP has the authority and obligation to make public the names of individuals who BCSP authorizes to use the certification titles it awards. BCSP will publish the names in an online directory. The directory is published publicly on the BCSP Web site and may be distributed in electronic and hard copy formats.

This policy covers the policy and procedures for handling inquiries relating to the use of BCSP credentials and for processing cases where unauthorized use of BCSP designations, certifications and logos is either suspected or known.

Procedure

1. Handling Inquiries

When BCSP receives an inquiry by phone, fax, email, or mail to determine whether someone is certified and current, any BCSP staff person may search BCSP records to determine if the person is certified.

- A. Individual is Certified.** If, after a diligent search and according to BCSP records, the individual *is currently certified*, the response can be made directly. If the requestor asks for written confirmation, then the following statement is appropriate:

(Name of person) is currently certified as a (Certification Title) and in good standing with the Board of Certified Safety Professionals.)

Other information from the person's record *is not to be given*, except which examination they passed to achieve the Designation/Certification or what specialty(ies) they hold. **Never** give out their social security number or confirm the number to a caller. If other information is requested, staff may collect the information of the requestor and send it to the credential holder, or refer the case to the Executive Director.

- B. Individual is not Certified.** If, after a diligent search and according to BCSP records, the individual *is not currently certified*, the case is to be turned over to the Executive Department for response or follow-up. If the initial inquiry is by phone, the caller should receive an answer that the preliminary search of BCSP records shows that the individual is not currently certified. It is important that a search include checking for similarly looking names or other identifications. However, the responding staff person should ask for the caller's name and phone and fax numbers, email and postal addresses, so that we can get back to them after a more thorough search of records or to seek additional information about the request.

If the caller asks for a written response to confirm the fact that someone is not certified, then refer the case to the Executive Department after obtaining a name, mailing and email addresses and phone and fax numbers.

- C. Reported False Use of BCSP Designations.** If a contact is trying to report what appears to be an unauthorized use of a BCSP designation and the contact is by phone, ask the caller to submit a copy of any document (business card, correspondence, resume, etc.) that shows:

- 1) the basis for the inquiry; and
- 2) the address/contact information of the person in question.

Let the caller know that their information will remain anonymous. BCSP cannot act on their report unless

BCSP has an address and evidence of the apparent inappropriate use of the designation.

3. Responding to Unauthorized Use of BCSP Credentials

Any response to an apparent unauthorized use of a BCSP credential, other than reporting by phone of a preliminary search of BCSP records, that may determine if a person is or ever was certified by BCSP, needs to go to the Executive Department. They will establish a case file and record the process and outcome of the case.

- A. **Request for Verification that Someone is Not Certified.** Only the Executive Director will provide responses to a request for written verification that someone is not currently certified by BCSP.
- B. **Taking Action on Unauthorized Use of BCSP Certifications.** The Executive Department, with assistance from the BCSP legal counsel, will act on apparent unauthorized use of BCSP credentials.

In general, the procedure will move through the following sequence:

- Executive Department will prepare and mail a letter to individual.
- If BCSP receives a response, the Executive Director will acknowledge receipt of the response and will take appropriate action. The action will depend on the contents of the response and other factors in the case. At minimum, the response will acknowledge receipt of the response.
- If a response is not received within the time period stated in the letter or the response does not resolve the case, the Executive Director will refer the case to BCSP legal counsel for further action.
- The BCSP legal counsel will take action on the case in an appropriate manner and in coordination with the Executive Director.
- After a case is resolved to the satisfaction of BCSP, various additional actions may be appropriate, as detailed in Item # 4.

4. Actions Taken in Response to Verified Cases of Unauthorized Use of BCSP Credentials

BCSP may take any of a variety of actions as a result of verified and unauthorized use of BCSP designations/certifications. The different actions are detailed below.

- A. **Publish Name.** If a person uses a BCSP credential without authorization, BCSP has established (10/10/97) that a standard penalty may include publishing his/her name in the BCSP Newsletter as someone who has used the designation without authority. This action will be taken after a person acknowledges to BCSP or its legal representatives that they did not have the authority to use the designation.
- B. **Publish Name on BCSP Web Site.** If a person uses a BCSP designation without authorization, BCSP has established (10/20/03) that a standard penalty will include publishing his/her name on a special area of the BCSP Web site listing individuals penalized during the period for which the penalty is in place.
- C. **Suspend the Authority to Pursue or Regain the BCSP designations and certifications.** If a person uses a BCSP credential without authorization, BCSP has established (10/10/97, with expansion in 4/29/03) that the individual will not be allowed to apply for, pursue, or regain the designation, certification or retired status for a period of 5 years. The penalty begins on the date BCSP receives a letter or acknowledgment of unauthorized use, discontinuance of use or as otherwise established for an individual case.

Note: Anyone in process will be terminated from the certification process and allowed to reapply as a new candidate after 5 years.

These actions will be taken after a person acknowledges to BCSP or its legal counsel that they did not have the authority to use the designation or BCSP has concluded that the penalty is justified.

These periods of suspension may be extended for any length of time by action of the Board to include permanently being barred from pursuing BCSP credentials.

- D. List Names of Individuals in the BCSP Directory.** The names of individuals who use the BCSP designation without authority may be listed in the BCSP Directory (in whatever form in which it is published) for at least four years following resolution of the case with the notation that they claimed to be certified and were not.
- E. Notify Employer or Client.** In order to ensure that safety of the public, workers, and others is protected and if the names of the employer and/or clients are known, BCSP may, for a period of one year following the resolution of a verified case, notify the employer and/or clients of a person who has used a BCSP designation without authority regarding the unauthorized use of a BCSP designation.
- F. Legal and Monetary Remedies.** BCSP, through its attorneys, may seek legal and monetary remedies from individuals who use a BCSP designation without authority. Legal remedies may include filing complaints with a state or other entity appropriate to the case, seek monetary damages for harm to the BCSP designation, or act under patent and trademark law.

5. Records

The Executive Department will maintain a record of each case involving potentially unauthorized use of BCSP credentials and/or status.

6. BCSP Policy on Criminal Convictions and Unethical Behavior

In certain cases, the BCSP Criminal Conviction and Unethical Behavior Policy may cover matters related to unauthorized use of BCSP designations, certifications and the Retired status. For certain cases, the two policies may need to be closely coordinated.

7. BCSP Communication with Other Certification and Licensing Boards or Membership Organizations

In some cases, the unauthorized use of BCSP credentials or status may also involve proper use or potential unauthorized use of certifications, licenses or statuses of other organizations. BCSP may elect to notify such other organizations of known unauthorized use of BCSP certifications or status or potential violations of the use of other certifications, licenses or status.