

Action Regarding Withdrawn Certificates



COMMON CAUSES FOR WITHDRAWN CERTIFICATES

Clients can be removed or withdrawn from the MS certification program(s) if there is overall nonconformance to the respective program's regulations or policy. MS certification clients can be removed if there is no production in their facilities or erection projects for over 18 months since their last audit. All new MS Certification clients must pass their first three audits, if they fail these audits they are removed from the program. All Clients must pass 2 out of every 3 external 3rd party audits; if they fail 2 of any 3 external 3rd party audits they are withdrawn from the program. Any of the Clients whom may have been removed or withdrawn from their respective program, as mentioned above, can reapply to the program again with no waiting period.

Clients whose accounts are 150 days past due for payments will be withdrawn and need to wait 2 years to reapply to the program again. All past due fees must be paid before their application can be reviewed for re-entry.

CONTRACTUAL CAUSES FOR WITHDRAWN CERTIFICATES

Listed below are other causes for termination from the MS certification program and Clients whom fall under any of these categories will be removed from the program and will no longer be listed as a PCI Certified Client in any of PCI's listings. These Clients will not be allowed back into the program for at least 2 years.

PCI maintains and makes publicly accessible information about certificates granted, suspended or withdrawn.

These causes are:

Clients shall not knowingly represent their PCI certification inaccurately in correspondence, publications, advertising, postings, or any other claims or communications. In particular, if PCI suspends or discontinues the PCI-Certified status of the Client, the Client shall promptly discontinue all statements, representations, and implications that the Client is PCI-Certified in any correspondence, publications, advertising, postings, or other claims and communications and shall return to PCI any unexpired official certificate of PCI-Certified status previously provided to the Client. The Client shall amend all advertising matter when the scope of certification has been reduced.

The Client shall not allow reference to its management systems certification to be used in such a way as to imply that PCI certifies a product or process, nor does imply that the certification applies to activities that are outside the scope of certification, and does not use its certification in such a manner that would bring the PCI and/or certification system into disrepute and lose public interest. The Client shall not make or permit any misleading statement regarding its certification.

The Client agrees to hold PCI, its agents, employees, contractors, and assigns harmless with respect to any and all claims, demands, losses, causes of action, damage, lawsuits, and judgments, including attorneys' fees and costs, arising out of or relating to their Contract.

If a dispute between the Parties arises out of or relates to their Contract or the breach thereof, and if the dispute cannot be settled through negotiation, the Parties agree first to try in good faith to settle the dispute by mediation administered by the American Arbitration Association under its Construction Industry Mediation Procedures before resorting to arbitration, litigation, or other dispute resolution procedure.

PCI LOGO USAGE

The PCI Certification logo is a graphic representation of the PCI brand. When you display the logo, your company is associated with what the PCI brand represents: technical excellence, integrity, and longevity. A Client who's management system's certification that has been suspended or withdrawn must discontinue all advertising matter that references PCI Certified status and must withdraw the usage of any PCI logo or mark.

Upon obtaining Certification, the Client will be provided a wall plaque for display and copies of reproduction proofs of the PCI Certification emblem for use in promotion.

The plaque and proofs shall remain the property of PCI and shall be surrendered promptly by the Client in the event of cancellation of the Certification Agreement by either party.

In the event of forfeiture of Certification or withdrawal from participation, the Client shall cease using any materials bearing the Certification symbol.

Prior to printing advertisements or announcements which refer to the PCI Certification Program and/or the Client's Certified status as a means of promoting the use of the Client's product, the Client shall obtain written approval from PCI. (This requirement does not preclude the use of the PCI Certification emblem on stationery or forms.)

Proposed copy shall be submitted to PCI, Director of Certification Programs for approval and will be reviewed within fifteen (15) working days of receipt.

Client usage of marks shall:

- a) conforms to the requirements of PCI when making reference to its certification status in communication media such as the internet, brochures or advertising, or other documents,
- b) does not make or permit any misleading statement regarding its certification,
- c) does not use or permit the use of a certification document or any part thereof in a misleading manner,
- d) upon suspension or withdrawal of its certification, discontinues its use of all advertising matter that contains a reference to certification, as directed by PCI,
- e) amends all advertising matter when the scope of certification has been reduced,
- f) does not allow reference to its management system certification to be used in such a way as to imply that PCI certifies a product (including service) or process,
- g) does not imply that the certification applies to activities that are outside the scope of certification, and
- h) does not use its certification in such a manner that would bring PCI and/or certification system into disrepute and lose public trust.
- i) PCI shall not permit its marks to be applied to laboratory test, calibration or inspection reports, as such reports are deemed to be products in this context.
- j) PCI shall exercise proper control of ownership and shall take action to deal with incorrect references to certification status or misleading use of certification documents, marks or audit reports. Such action could include requests for correction and corrective action, suspension, withdrawal of certification, publication of the transgression and, if necessary, legal action.

Any Client whom fails to comply with PCI's Logo usage policy shall be removed from the program if such disrupt is not corrected within the determined amount of time held in the suspension stage of this noncompliance. Any Client who is removed from the program for this reason shall not be able to reapply to the MS certification program for at least 2 years.

OTHER PROVISIONS

The client must ensure that it refrains from the promotion of its certification if their management system is temporarily invalid. Suspended status is publicly accessible via the PCI website; this also includes changes to a client's management system's certification such as suspended, withdraw or reduction of scope status'. If PCI finds out or is notified that this has occurred or happened, appropriate action will be taken, not limited to any legal proceedings.