

PENNSYLVANIA TELECOMMUNICATIONS RELAY SERVICE

ADVISORY BOARD

BY-LAWS

ARTICLE I – NAME

The Board shall be known as the Pennsylvania Telecommunications Relay Service Advisory Board.

ARTICLE II – AUTHORITY

The Pennsylvania Telecommunications Relay Service Advisory Board hereafter referred to as the “Board”, is established pursuant to Commission Order on the Petition of the Pennsylvania Telephone Association Requesting the Commission to Approve Implementation of Pennsylvania Relay Service for the Deaf, Hearing and/or Speech Impaired Community with the Commonwealth of Pennsylvania, P.U.C. Docket Nos. M-00900239 and A-310125 (Order Entered May 29, 1990).

ARTICLE III – PURPOSE

The purpose of the Board shall be to review the performance of the relay services system in Pennsylvania as provided by the Americans with Disabilities Act of 1990 as amended, Title IV – Telecommunications Relay Service, and all Commission TRS related Orders and Policies; to identify improvements in areas such as regulation, relay service, customer service, equipment and outreach; provide feedback on related projects; and provide guidance and advice to the Pennsylvania Public Utility Commission for further action.

ARTICLE IV – DEFINITIONS

1. CA – Communications Assistant - An employee of the TRS provider who transliterates conversation from text to voice and from voice to text between two end users of TRS. Except as authorized by section 705 of the

Communications Act, 47 U.S.C. 605, CAs are prohibited from disclosing the content of any relayed conversation regardless of content and from keeping records of the content of any conversation beyond the duration of a call, even if to do so would be inconsistent with state or local law. CAs are prohibited from intentionally altering a relayed conversation and, unless federal, state, or local law prohibits (for example, use of phone for illegal purposes), must relay all conversation verbatim unless the relay user specifically requests summarization.

2. TTY – Teletypewriter - A device that accurately transmits and receives text over the telephone lines in written (type) rather than spoken form.

3. TT - Text telephone - A device that uses graphic communication in the transmission of coded signals through wire or radio communications system.

4. TDD – Telecommunications device for the deaf - The Communications Act of 1934 defines TDD as a machine that employs graphic communication in the transmission of coded signals through a wire or radio. TDD uses the Baudot code method of communication.

5. TDDP – Telecommunication Device Distribution Program - The program established under Act 34 of 1995, 35 P.S. §§ 6701.1-6701.4, whereby telecommunications devices for eligible people with disabilities are distributed at no cost to the distributee. The Office of Vocational Rehabilitation (OVR) within the Department of Labor and Industry is responsible for managing the TDDP.

6. TDDP implementing entity. The entity or organization selected by OVR to implement the TDDP.

7. VCO – Voice Carryover – A relay option for hard of hearing person in which they speak into the telephone directly to the party with whom they are communicating and the CA keyboards what the party says to them.

8. HCO – Hearing Carryover – A relay option for a person who has a speech disability in which they listen to a person speaking on the telephone and

they keyboard to the CA what they wish to communicate to the other party. The CA then voices the message for them to the other party.

9. STS – Speech-to-Speech – A relay option for a person who has a speech disability, difficulty understanding speech or uses a speech generating augmentative communication device. They speak to the CA and the CA relays the message to the other party. The CAs are trained to work with people who have a speech disability, including those who use augmentative and alternative communication (AAC) technology.

10. Relay – Refers to the telecommunications relay service including traditional text telephone or teletypewriter (TTY), voice carryover (VCO), hearing carryover (HCO), speech-to-speech (STS) and captioned telephone. The term "telecommunications relay services" means telephone transmission services that provide the ability for an individual who has a hearing loss or speech disability to engage in communication by wire or radio with someone with similar attributes or an individual without hearing loss in a manner that is functionally equivalent to the ability of an individual who does not have a hearing loss or speech disability.

11. ADA of 1990, Title IV – Title IV of the Americans with Disabilities Act (ADA) of 1990 mandated a nationwide system of telecommunications relay services to make the telephone network accessible to people who are deaf or hard of hearing or who have speech impairments. Title IV of the ADA added Section 225 to the Communications Act of 1934.

12. Americans with Disabilities Act of 1990 as amended, Title IV – Telecommunications Relay Services. Title IV addresses telephone and television access for people with hearing and speech disabilities. It requires telephone companies to establish interstate and intrastate telecommunications relay services (TRS) 24 hours a day, 7 days a week. TRS enables callers with hearing and speech disabilities who use telecommunications devices for the deaf (TDDs), which are also known as teletypewriters (TTYs), and callers who use voice telephones to

communicate with each other through a CA (third party communications assistant). The Federal Communications Commission (FCC) has set minimum standards for TRS services. Title IV also requires closed captioning of federally funded public service announcements.

13. Captioned Telephone – A relay option for people who are hard of hearing.

The telecommunication device looks and works like an ordinary telephone with one important difference: It has a display screen that shows real time captions of what the other party says throughout the conversation. This form of relay uses a CA that is re-voicing the other party into a computer with speech recognition software, and sends a typed message that is displayed on the captioned telephone screen.

14. Relay User – Any person who uses the relay system for communication.

This includes people with and without disabilities.

15. Relay Service Providers – Hamilton Relay Inc., is the Certificated (Certificate of Public Convenience to provide Pennsylvania traditional/basic TRS) and Hamilton Telephone Company d/b/a Hamilton Telecommunications as the contracted Pennsylvania Captioned Telephone Relay Service provider.

16. Commission or PUC – Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, The Public Utility Commission was created by the Pennsylvania Legislative Act of March 31, 1937 (and the Public Utility Law of May 28, 1937), which abolished the Public Service Commission. <http://www.puc.pa.gov> The Commission balances the needs of consumers and utilities to ensure safe and reliable utility service at reasonable rates; protect the public interest; educate consumers to make independent and informed utility choices; further economic development; and foster new technologies and competitive markets in an environmentally sound manner. The Commission at Docket No. M-00900239, Ordering paragraph No. 17, Order entered May 29, 1990, established the Board.

17. Office of Communications – COMMS of the Pennsylvania Public

Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265,
<http://www.puc.pa.gov> 717-787-1914. In addition to its function within the
Commission, COMMS is the Commission's contact point for approving
Board member expense reimbursement claims, and housekeeping matters.

18. Officers – Members of the Board holding positions or Officers that serve in
a capacity of Chairperson, Vice-Chairperson or Secretary.

19. Office for the Deaf and Hard of Hearing – ODHH - An office within the
Department of Labor and Industry which provides advocacy, acts as a
clearing house for information, and makes referrals for Pennsylvanians who
are deaf, hard of hearing or deafblind, and their families and caregivers.

20. Pennsylvania Telephone Association – PTA – The mission of the PTA is to
advocate for its members and their customers and shareholders. They are
located at 30 N. 3rd Street, Suite 300, Harrisburg, PA 17101. On the web at
www.patel.org The PTA filed with the Commission on April 12, 1990, a
Petition requesting approval to implement a Pennsylvania Relay Service for
the deaf, hearing and /or speech impaired community.

21. Voting Members – Each of the fourteen members of the Board shall have
one (1) vote in matters that require voting. A Board member must be
present (includes members who participate in the meeting remotely) to
vote. Proxy votes will not be accepted.

22. Just Cause – A legally sufficient reason. Just cause is sometimes referred to
as good cause, lawful cause or sufficient cause.

23. Ad-Hoc Committee – A committee formed for a specific task or objective,
and dissolved after the completion of the task or achievement of the
objective.

24. Quorum - To be considered a quorum and legally transact business, a
majority of voting Board members must be in attendance (includes
members who participate in the meeting remotely).

25. Public Member – The nine Board members who are individuals with
disabilities that impact their access to telecommunications services (or who

represent disability organizations). Board members that are not Public Members are the relay service providers, Pennsylvania Telephone Association, the Office for the Deaf and Hard of Hearing, and the TDDP implementing entity.

ARTICLE V – MEMBERSHIP

Section 1. Membership The Board – The Board shall consist of representatives appointed by the Pennsylvania Public Utility Commission, hereafter referred to as the “Commission”. The membership includes:

- A.** One Representative from each of the two Relay Service Providers
- B.** One Representative from the Pennsylvania Telephone Association (PTA)
- C.** One Representative from the Pennsylvania Department of Labor & Industry, Office for the Deaf and Hard of Hearing (ODHH)
- D.** One Representative from the TDDP implementing entity
- E.** Nine Representatives, who are currently Pennsylvania residents age 18 and older and are individuals with disabilities that impact their access to telecommunications services (or who represent disability organizations), referred to as Public Members (PM). Current employees of the Commission are not eligible to serve as Board Representatives.

Section 2. Nominations For appointments to the Board - Application forms should be completed and submitted to the Commission Secretary’s Bureau for further consideration. Application forms may be obtained at the Commission’s web site at:

[http://www.puc.pa.gov/utility_industry/telecommunications/telecommunications_relay_service/trs advisory board .aspx](http://www.puc.pa.gov/utility_industry/telecommunications/telecommunications_relay_service/trs_advisory_board.aspx)

Section 3. Nomination Process - Consistent with the Commission’s 1990 Order establishing the Board, application forms submitted from individuals will be reviewed by the Commission to determine whether they satisfy the Board Membership requirements set forth in Article V. The Commission will thereafter take action at Public Meeting to confirm successful nominees to the Board.

Section 4. Terms

A. Board Member Terms shall be two years in length, and begin and end at the fourth quarter meeting of the Board every two years.

B. Public Board Members may be renominated to serve additional terms, without limit, subject to appointment by the Commission and the restrictions on Officer Terms set forth in Article VI.

Section 5. Unlimited Terms Members – Members who serve unlimited terms on the Board are from the following organizations: Relay Service Provider(s), Pennsylvania Telephone Association, Office for the Deaf and Hard of Hearing, the Commission, and the TDDP implementing entity.

Section 6. Vacancies - All vacancies except for unlimited Board member positions shall be filled by the application process. Board Members appointed to fill a Board vacancy partway through a two-year term will be required to submit another application if they wish to serve for any additional terms.

Section 7. Member Responsibilities - Board members are expected to actively participate in all aspects of the Board’s purpose and adhere to the member expectations.

ARTICLE VI – OFFICERS OF THE BOARD

Section 1. Officers of the Board - Officers of the Board shall be a Chairperson, a Vice-Chairperson, and a Secretary selected by a member vote (including members who are participating in the meeting remotely).

Section 2. Election of Officers

A. The Board shall biennially elect officers from the Public Members of the Board. Unlimited Term Members may not serve as Board Officers.

B. Election of officers shall take place at the fourth quarter Board meeting.

C. All officers will follow the expectations listed in the By-Laws; expectations include duties, responsibilities, and limitations of officers; a member will be requested to indicate their interest in being nominated for a particular office and ability to fulfill all of the obligations of that office, if elected.

D. Officer term limits shall be for two years ending on the corresponding Board election date. Officers may be elected by the Board to serve up to two additional consecutive terms.

E. Should any Officer resign from serving as an Officer during their two-year term, the Board Chairperson may convene a special meeting to hold an election to fill in the remaining term of that Officer position.

E. All members who express interest in serving as an Office will be placed on the slate by the Board Secretary provided they are in compliance with these By-Laws and can meet the term commitments of the Office they seek.

F. Votes for the election will be cast by ballot vote at the fourth quarter Board meeting (including members who are participating in the meeting remotely).

G. An existing Officer and at least 2 volunteers from the Board who are not on the slate will count votes and announce the results at the meeting.

H. Officers whose terms have expired shall continue to serve in their respective roles until the Board holds elections as required under this Section.

Section 3. Removal of an Officer - An Officer or Board Member may make a motion to depose from office or censure for just cause an Officer. Discussion of motions to censure or remove an Officer shall take place during a regularly scheduled Board meeting in executive session. Censure or removal of an Officer requires a two-thirds majority vote of the Board members present (including members who are participating in the meeting remotely). The vote shall be by a ballot vote.

ARTICLE VII – EXPECTATION OF OFFICERS

Section 1. Chairperson - The Chairperson shall preside, direct and coordinate activities at all Board meetings. The Chairperson shall perform such other duties as may be imposed by action of the Board or as set forth in other sections of these by-laws. Also, the Chairperson shall establish each quarterly Board meeting

agenda and provide for each meeting a Chairperson Report on activities at least two weeks prior to the meeting. With the cooperation of Board members, the Chairperson shall identify and define specific Board goals and objectives to be accomplished during his/her term. The Chairperson or Board shall establish such Ad-Hoc committees as shall from time to time be necessary to carry out the duties and responsibilities of the Board.

Section 2. Vice-Chairperson - The Vice-Chairperson shall serve in the absence of the Chairperson and shall perform such other duties as may be imposed by action of the Chairperson, Board or as set forth in other sections of these bylaws.

Section 3. Secretary - The Secretary shall serve in the absence of the Chairperson or Vice-Chairperson and shall perform such other duties as may be imposed by action of the Board or as set forth in other sections of these by-laws. The Secretary shall monitor member resignations and term expirations to ensure that the composition of the Board is maintained. When vacancies occur or are anticipated, the Secretary will inform the Chairperson who will take necessary action to recruit a suitable nominee to ensure the composition of the Board. The Secretary shall maintain the records of the Board such as the “Member List”, “By-Laws”, “Meeting Minutes” and “Chairperson’s Report”, of each quarterly Board meeting. The Secretary shall develop the draft Meeting Minutes and distribute a copy to each member for review at least one month prior to the next scheduled quarterly Board meeting.

Section 4. Committee(s) - Special Committees or work groups shall be appointed by the Chairperson whenever deemed necessary by the Board. A special committee shall be restricted to its assigned task, shall report its recommendations to the Board, and shall be dissolved when its report is complete and accepted by the Board.

ARTICLE VIII – EXPECTATION OF MEMBERS

Section 1. Authority of Members - No member shall at any time act or purport to act in the name of the Board without the prior approval of the Board.

Section 2. Compensation of Members - All Members shall serve on the Board without compensation. However, Public Board members may be reimbursed for travel expenses incurred in order for them to attend the quarterly Board meetings. Expense reimbursement must be approved by the Commission in accordance with the By-Laws, Commonwealth policies and procedures and applicable federal policies. Members from the Commission, PTA, and relay service provider(s) are not entitled to expense reimbursement for Board attendance or services.

Section 3. Participation - Board members are expected to actively participate in all aspects of the Board's stated Purpose. In order to fulfill its requirements, by: Attending four (4) scheduled quarterly Board meetings in the fiscal year. Attendance by any Information and Communication Technologies (ICT) is permitted. A member who is unable to attend a regular or special meeting must comply with Article IX Section 5 in order to be considered in attendance.

Section 4. Committee Participation - Each member must actively participate on at least one active standing committee or ad-hoc committee during the fiscal year. Actively is defined as participating in conference calls and in-between activities such as responding to correspondence and e-mail. Those members not able to maintain active participation will be asked to resign from the committee. Members may be asked to respond to action items during or between Board meetings. Examples may include, but are not limited to:

- (1) Review of support documents for meeting action items.
- (2) Review and return of surveys, draft documents, etc.
- (3) Attending Commission public meetings, ODHH sponsored Expos/Events or other TRS Outreach programs, etc., each year.

ARTICLE IX – MEETINGS

Section 1. Regular Meetings - The Board shall meet at the call of the Chairperson not less than four times per year. The time and place of a regular meeting may be changed provided notification is given to members not less than

fourteen calendar days in advance. The draft meeting minutes shall be provided by the Secretary to all members no less than one month prior to the next scheduled meeting. On the last regular scheduled meeting of the calendar year, the Board shall set the dates for the next calendar year regular quarterly Board meetings.

Section 2. Relay/Tele-conference Meetings - The Board may hold meetings via relay conference call or teleconference when deemed appropriate, and provided accessibility for all participants is assured.

Section 3. Special Meetings - Special meetings may be called by the Chairperson or by written request of any five members of the Board. Notice to all members stating the time, place, and purpose of any special meeting shall be provided as early as possible, but not less than seven days prior to the meeting. Matters considered in any special meeting shall be limited to the purpose created. The draft minutes of the special meeting shall be provided to all Board members within one month of the conclusion of that special meeting.

Section 4. Meeting Agenda - The Chairperson or Secretary shall provide copies of the tentative agenda to each member at least fourteen calendar days prior to the meeting.

Section 5. Attendance - Members unable to attend any regular or special meeting may designate a non-voting substitute to attend on their behalf. The absent member must provide advance notice to the Chairperson (or presiding officer such as Vice-Chairperson or Secretary) prior to the opening of the meeting. Members represented by a designated substitute shall be considered attending for purposes of Article VIII, Section 3.

Section 6. Parliamentary Authority - All Board meeting shall be conducted in accordance with Robert's Rules of Order.

Section 7. Meetings to be Public - All regular and special meetings of the Board shall be open to the public, unless otherwise stated in the By-Laws.

Section 8. Voting - All action taken by the Board shall require a majority vote (secret ballot, voting card, or mutually agreed upon technologies as per Chairperson's choice and instructions) of Board members unless otherwise stated

in the By-Laws for specific purposes.

Section 9. Meeting Minutes - Draft (regular and special) Board meeting minutes are not official until approved by the Board at a subsequent meeting.

Section 10. Executive Session - The Board may meet in executive session during a regularly scheduled Board Meeting for the purpose of conducting specific purposes stated in the By-Laws. Executive sessions shall not be open to the public.

ARTICLE X – TERMINATION

The Board shall continue its function and duties until terminated by the Commission.

ARTICLE XI – COMMISSION SUPPORT

The Commission shall provide administrative support to the Board through the Office of Communications (COMMS). The Commission shall provide technical support to the Board by assigning staff from the Bureau of Technical Utility Services (TUS) and the Bureau of Consumer Services (BCS). The Commission shall provide legal support to the Board by Assigning a Commission staff attorney from Law Bureau (LAW) to provide advice on legal matters as they arise. No Commission staff assigned to the Board shall have any voting privileges in Board actions.

ARTICLE XII – AMENDMENTS

These By-Laws may be amended or repealed at any meeting by a majority vote of Board members present, provided that the proposed amendment has been provided to the membership at least one month prior to the Board meeting. The one month notice may be waived by unanimous consent of members present at a meeting.

Revised by-laws adopted by the Pennsylvania Telecommunications Relay Service Advisory Board on the 7th day of June 2023.