



American Teleservices Association

# Creating a Self-Regulatory Organization for the Teleservices Industry

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## **Introduction**

The American Teleservices Association (“ATA”) is the only trade association focused exclusively on the call center industry. ATA represents the entire universe of teleservices, and has been a leader, advocate, and educator of the industry since its inception. As such, the ATA is developing a Self-Regulatory Organization (“SRO”) for call centers – focusing on both inbound and outbound calling. ATA recognizes that its proposed call center SRO will only be credible and effective if it meets the following goals.

- It should be independent, both in perception and reality, from the entities it purports to regulate.
- It should develop standards that are meaningful and broadly accepted.
- It should be recognized as legitimate and relevant by the call-center industry and by its regulators – the FTC, the Federal Communications Commission (“FCC”), state attorneys general, and state public utility commissions.
- It should provide for fair and respected enforcement.

The ATA has developed a proposal for a teleservices SRO. No concrete steps have been taken to implement this plan, and there is room to incorporate constructive feedback. The proposed call center SRO would incorporate elements of other self-regulatory programs, including the National Advertising Review Council and the Funeral Rule Offenders Program (“FROP”).

## **Initial Proposed SRO Program Design**

At this time, the ATA proposes an SRO administered by an independent non-profit organization based at an educational institution. The proposed SRO would perform the following functions for participating call centers:

- *Set standards for call centers, based on existing laws.* The SRO, in consultation with an advisory board, would develop a set of industry standards based on compliance with existing federal call center laws and with the law of each state in which they do business.
- *Accredit and audit call center compliance with standards, and provide accreditation.* The SRO would audit call centers and provide accreditation to those that meet the standards. In order to become accredited, a call center must demonstrate knowledge of the standards, functional capability, and pass an on-site review.

- *Enforce ongoing compliance of call centers through periodic review, audits, and, where appropriate, removal of accreditation.* This would be done, at minimum, annually, through questionnaires and requests for documents, although on-site audits could also be required.
- *Develop standards for handling inbound call centers.* The SRO would create a working group to develop a proactive strategy to address consumer concerns over perceived abuses by the call center industry, with a focus on inbound calling. To the extent that such standards could be developed, and accepted by industry, a separate accreditation process would be developed.

The SRO would be administered by an independent non-profit based at an educational institution. Collaboration with an academic institution would provide credibility, and would also provide additional synergies for the development of creative and proactive strategies.

ATA would provide administrative and logistical support to the SRO. Call centers would not need to be a member of the ATA to participate. The ATA would provide standards compliance training to members and non-members for a fee.

An independent board would set standards for call centers. This Board would include representatives from ATA, other major trade associations whose members use call centers, industry members, and one member each designated by the four major regulatory bodies with jurisdiction over call centers – the FTC, the FCC, NAAG, and NARUC. If such representation by regulatory bodies is not feasible due to internal guidelines, the SRO would endeavor through formal and informal means to determine the acceptability of the standards as proposed. The Board may include members from consumer advocacy groups, such as Consumer Federation of America, Consumer's Union, or the American Association of Retired Persons.