

#### Element 4: Training

**OBJECTIVE:** To ensure training and education are provided on a regular basis to all employees involved in export-related activities.

**PROCEDURE:** For exporters adopting an EMS, it is recommended that an individual be designated as responsible for the scheduling and conduct of training on export/reexport issues as they relate to your company. A qualified trainer is one who is well-versed in the EAR and familiar with export-related functions within the company. A person's qualifications should include: practical work experience, attendance at seminars and working knowledge of EAR requirements.

The frequency of training will depend on the number of employees and turnover rate at the company, as well as changes to the U.S. regulations and policies. However, it is suggested that you schedule the following training:

Orientation training of a new employee involved in export-related activities is essential.

Refresher courses (at least annually) should be conducted to reinforce knowledge and heighten awareness of the U.S. Export Administration Regulations, company procedures and application of the regulations to new commodities, technology, software or services destined for export. Some topics to consider are:

- ◆ The organizational structure of export-related departments and functions;
- ◆ The role of the EMS Administrator, other employees involved in export transactions, and where the employee fits in the big picture;
- ◆ Identification and description of non-compliance and what to do if non-compliance is suspected;
- ◆ Company-specific written and operational procedures, including the EMS manual;
- ◆ Destination and item restrictions and sensitivities (License Conditions/License Exception parameters);
- ◆ Order processing and end-user screens such as the denied persons screen, diversion risk Screen, nuclear, chemical and biological, and missile restrictions screens;
- ◆ How to perform a self-assessment of EMS procedures;
- ◆ U.S. export regulatory requirements as they relate to your company items;
- ◆ Scope of the EAR;
- ◆ General prohibitions;
- ◆ Technology transfers and “deemed exports”;
- ◆ Record keeping requirements;
- ◆ Export document preparation and conformity of documents;
- ◆ Regulatory changes and new requirements; and
- ◆ Antiboycott requirements

Maintaining records of training will ensure verification that all employees in departments involved in the export transaction process receive necessary training to perform their responsibilities accurately and consistently. Records should note the subject(s) covered, date(s) of training and the instructor's name. Many companies merge their "export" training program with their company training program.

COMMENTS:

There are various styles of training that may be used to accomplish this element's objective. The frequency of training and the style used will depend on the overall size, budget and personnel turnover of the firm and the extent of the export operations.

- A. Formal style training occurs in a structured setting led by "experts" within the company or by outside personnel. These meetings include specific sessions led by internal experts that focus on issues directly applicable to the business. For external training, you should consider seminars offered by BIS. [BIS conducts seminars](#) throughout the United States dedicated to training industry on regulatory requirements and how to establish Export Management Systems.

At small firms, where a majority of the export control functions may be the responsibility of one individual, an elaborate formalized training program may not be necessary. However, that one individual should keep abreast of all the changes to export control regulations that affect the company. Also, it is a good idea for this individual to "train" a backup employee to assume all export control responsibilities when the primary export control official is out of the office.

- B. Informal style training occurs on an ongoing, less structured basis. The verbal exchange of information in a work environment is educational in nature and is a viable means of on-the-job training. The circulation of written memoranda, newsletters, CDs, videos and e-mails are good ways to train personnel who interact on a daily basis.
- C. Intranet training modules are an excellent method for keeping employees abreast of your company's export issues.

The EMS manual can be an excellent training tool. As a training instrument, the EMS manual can answer "who," "how," "when," and "where," questions posed by new and current employees.