

ACEC/MA POLICY ON CONFLICT OF INTEREST

The American Council of Engineering Companies of Massachusetts (ACEC/MA) expects all those acting on its behalf to avoid conflicts of interest between their duties to ACEC/MA and their duties to other organizations or entities. A conflict of interest exists when an individual participates in the deliberation and resolution of an issue important to ACEC/MA while, at the same time, the individual has other professional, business, or volunteer responsibilities outside ACEC/MA that could predispose or bias the individual to a particular view or goal.

ACEC/MA officers, directors, and staff are dedicated to serving the interests of the industry and in doing so are committed to fulfilling their fiduciary duties to ACEC/MA. ACEC/MA understands that actual or perceived conflicts of interest could potentially damage the organization's reputation and credibility. Through this Policy, ACEC/MA seeks to address the potential for such actual or perceived conflicts of interest.

ACEC/MA will generally address conflicts of interest in one of three ways in order to avoid potential legal liability. An individual with a serious potential conflict must take no part in the ACEC/MA issue that raises the potential conflict. For less serious potential conflicts, there must be disclosure to ACEC/MA and avoidance of participating in debate and voting on the issue for which there is a potential conflict. Finally, for minor potential conflicts, there simply must be full disclosure to ACEC/MA's Board of Directors. It is ACEC/MA's prerogative, not that of the individual, to make such determinations regarding conflicts. ACEC/MA believes that it is prudent to err on the conservative side and avoid even the appearance of conflicts of interest.

ACEC/MA has identified a number of general categories of actual or potential conflicts of interest. They include but are not limited to:

- (1) Officers and Directors of ACEC/MA acting as official or appointed representatives of ACEC/MA, and members and staff acting on behalf of ACEC/MA, should disclose any situation in which they, or a member of their immediate family, have financial, contractual, or other interests that could interfere with their acting in an unbiased manner on behalf of the ACEC/MA. In such instances, the individual may be asked to recuse themselves from their position or work with ACEC/MA.
- (2) Officers and Directors of ACEC/MA should exercise caution before entering into financial or legal arrangements that could prejudice or bias their conduct or views in issues related to ACEC/MA. If such arrangements exist or are perceived to exist, that individual should disclose these arrangements. Examples of relevant situations would include paid relationships or financial interests with vendors doing, or seeking to do, business with ACEC/MA.
- (3) Individuals or members of committees, including partnering committees, preparing official statements for ACEC/MA should disclose financial relationships or legal obligations that interfere, or could interfere, with the task.
- (4) Questions regarding whether a conflict exists or may arise may be raised by any person to the Board as a whole or to the President as appropriate. The Board shall discuss the potential conflict at the next regularly scheduled Board meeting and determine whether a conflict exists and what action, if any, needs to be taken.

This policy is directed principally at Officers and Directors of ACEC/MA. However, committee members, partnering committee members, and groups working on behalf of ACEC/MA, and members who speak on behalf of ACEC/MA should be provided a copy of this policy for reference.

I agree to comply with this policy while performing my assigned tasks and duties as a member of the ACEC/MA Board of Directors, or as a designated committee leader, if asked to sign:

Signature

Date

Print Name

Board Position (Print)

(Approved by Board: 12/2010)

If you have been asked to provide a signed copy, please email to accema@engineers.org