



## **CONFLICT OF INTEREST POLICY**

**Issue Date:** May 5, 2006

**Revision Date:** January 9, 2009

### **Introduction**

The governing ethical principles of the Rocky Mountain Section of the American Water Works Association (RMSAWWA or Section) are honesty, beneficence, non-maleficence, justice and equity. A conflict of interest can arise when any choice is made. The purpose of these guidelines is to indicate to members of RMSAWWA minimal standards of behavior with respect to conflicts of interest.

### **Definition**

Conflict of interest arises when an individual or organization considers choices in which conflicting interests or benefits exist. Conflict is present when the choice that provides personal benefit is selected over the choice that is most in accord with the above ethical principles and public interest. Such conflicts may involve financial benefits, enhancement of position, or other benefits to the individual. Disclosure of such conflicts prior to the process of choice is essential. Disclosure itself, however, is inadequate if other means are used to inappropriately influence decision-making.

The following activities are considered by RMSAWWA to be conflicts of interest, but conflicts of interest are not limited to the following situations:

1. Where a person makes a decision or does an act motivated by personal interests or considerations other than “the best interests of RMSAWWA”, or in the case of joint committees “the best interests of RMSAWWA and the Rocky Mountain Water Environment Association (RMWEA)”.
2. Where a person personally contracts with RMSAWWA or where he/she is a member of other organizations that are contracting with RMSAWWA.
3. Where a person learns of an opportunity for profit which may be valuable to him/her personally or to another organization of which he/she is a member, or to other persons known to a member.

### **Guidelines**

Members of RMSAWWA are in a position of trust in fostering the goals and objectives of RMSAWWA.

1. Given the mission of RMSAWWA, the Section should not exploit its reputation, which is a public trust, by engaging in commercial ventures to solely benefit

- RMSAWWA. Such commercial ventures may limit the capability of RMSAWWA to enunciate policy, which would be beneficial to the public's health.
2. RMSAWWA should avoid endorsements of organizations or individuals where such endorsements may be exploited for gains, which when known, would damage the reputation of the Section.
  3. All proceedings, notes, lists, etc. which are part of the function of RMSAWWA are the property of RMSAWWA and must be retained by the Section after an individual is no longer in a position of trust in RMSAWWA. This particularly applies to Governing Board (Board) members of RMSAWWA.
  4. Individual members of RMSAWWA may not use information gained during the course of the Section's business for personal gain.
  5. Board members, Committee Chairs and contractors must indicate in writing all affiliations with other bodies that do business with the Section, particularly if these affiliations provide a personal benefit unknown to RMSAWWA and others.
  6. Board members, Committee Chairs, and contractors, in the course of presenting either at meetings or as representatives of the Section have an obligation to make it known that there is a dual commitment on their part. That is, by communicating the information, they will or may receive an unknown personal benefit. The audience has a right to know when such potential conflict of interest exists.

Compliance with these guidelines applies to those presenting at Section meetings or when performing duties while representing the Section. It is the responsibility of the meeting convener to make those presenting aware of the Conflict of Interest Policy. They must indicate that the potential conflict of interest exists at the time of the presentation. The existence of a potential bias that results from either real or potential personal benefit is part of the information required by the audience for their evaluation of the presentation. All members and guests presenting at meetings of RMSAWWA or those meetings sponsored by the Section, should be aware that it is assumed that they will provide this information to the audience in an unequivocal manner.

#### **A Process for Maintaining Conformity with Guidelines**

The Board, Committee Chairs, and contractors of the Section have a fiduciary obligation to maintain ethical behavior during the course of their affiliation with the Section. They are in a position of trust in dealing with conflict of interest. The Board is responsible for assuring that adherence to these guidelines occurs.

During the course of engaging in the Section's business, if failure to adhere to these guidelines occurs, it should be brought to the attention of the Section Chair. He/She shall act as the recipients of such complaints. The Board will have the responsibility of setting up a review process that maintains confidentiality while investigating the validity of any complaint. If an action is recommended as a result of the investigation, the Board must approve it. It is the responsibility of the Chair of the Section to monitor the process and to recommend changes in the guidelines to make them more effective based upon the experiences of the Section.

Sanctions from the Board for failure to adhere to the guidelines may include, but are not limited to:

- Prohibition from representing the Section.
- Expulsion from RMSAWWA.
- Censure in private, public, or both.

### **STATEMENT REGARDING CONFLICT OF INTEREST POLICY**

I have read the guidelines on Conflict of Interest.

I understand that Board members, Committee Chairs, and contract employees acting on behalf of RMSAWWA must indicate in writing all affiliations with other bodies that do business with RMSAWWA, particularly if these affiliations provide a personal benefit. This includes being an officer, employee, or holding stock in such a company; consulting agreements; or other activities that would benefit the individual, or those associated with the individual, while the person is in a position of fiduciary trust with the Section.

I accept the Conflict of Interest guidelines and confirm that I am in compliance with them at this time (unless otherwise noted below). I will abide by these guidelines while representing RMSAWWA. Should a conflict of interest on my part arise, I will promptly notify, in writing, the Chair of RMSAWWA.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_

| <b>Conflict of Interest Disclosure Statement</b>                |   |
|---|---|
| <b>Name of Organization Related to the Conflict of Interest</b> | <b>Nature of the Conflict of Interest</b> |
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This information will be retained in the files of the Section Secretary-Treasurer during my tenure as a Board member or Committee Chair.

*Please sign this copy and submit to the Section Secretary-Treasurer*

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