

Conflict of Interest Policy

Approved April 22, 2021

Policy Statement

All volunteer leaders must avoid both actual and apparent conflicts of interest that would interfere with their ability to discharge their fiduciary responsibilities to the American Industrial Hygiene Foundation (AIHF). The Foundation expects its leaders to follow ethical standards, comply with all laws, and avoid any conflict of interest, or appearance of such, including having their titles or affiliation used to publicize personal or company activities, programs, or events (especially those conducted for private profit). This policy applies to the American Industrial Hygiene Foundation Board of Trustees, as well as members of the AIHF Scholarship Review Committee, the AIHF Donor Relations Committee, and any other committees established.

AIHF Board of Trustees

It is the policy of the AIHF Board of Trustees to carefully review all proposed contracts between the AIHF and current Board members for potential conflicts of interest. These contracts must be peer reviewed and approved by a majority vote of the Board. In addition, such Board members must recuse themselves from any deliberations and decisions affecting their potential contracts or employer.

At the beginning of a new “board cycle year” (generally around the time of the Annual Membership Meeting at AIHce), all Board members must disclose in writing any potential sources of bias and conflict of interest during their term in the forthcoming year. Board members may use the AIHA disclosure form and must submit to the AIHA Executive Office. Questions pertaining to an individual Board member’s real or apparent conflict of interest will be referred to Board leadership for further review and resolution.

Committee Members

The AIHF Board of Trustees reviews and approves appointments to the AIHF Scholarship Advisory Committee, the AIHF Donor Relations Committee, and other committees as established.

For the AIHF Scholarship Advisory Committee: Members are accountable to the AIHF Scholarship Advisory Committee leadership, with ultimate accountability to the AIHF Board of Trustees, and the national AIHA office.

For the AIHF Donor Relations Committee: Members are accountable to the AIHF Donor Relations Committee leadership, with ultimate accountability to the AIHF Board of Trustees, and the national AIHA office.

For other committees as established: Members are accountable to the committee leadership, with ultimate accountability to the AIHF Board of Trustees, and the national AIHA office.

All volunteers must adhere to established AIHF guidelines and policies when providing oral or written presentations on behalf of the Foundation.

For All Volunteers: Upon appointment, all volunteers must have a current Conflict of Interest (COI) disclosure form on file. Volunteers only need to submit a COI disclosure form once until potential conflicts change. Once a year, volunteers will be contacted and reminded to update their form if any changes have occurred since the previous submittal. This form is now linked to one's member profile in the association's database. Questions pertaining to a volunteer's real or apparent conflict of interest should be referred to the AIHF Board of Trustees President (and possibly to the full Board) for further review and resolution.

Conflict of Interest Defined

The term "conflict of interest" includes, but is not limited to, circumstances where a volunteer leader, or a member of his or her immediate family:

- Owns any financial or other proprietary interest in any entity supplying (or seeking to supply) goods or services to the AIHF;
- Receives any substantial benefit from a third party attributed to that party's past, present, or future business relationship with the AIHF;
- Receives any substantial financial benefit from a pending decision of the AIHF or from an organization or individual being evaluated by the AIHF;
- Serves as an officer, director, or committee member of any competing organization, i.e., any nonprofit or business enterprise whose purposes, products, and/or services compete with those of the AIHF;
- Is or has been employed by or has a financial or management interest in an organization that will be directly impacted by a decision or policy enacted by the AIHF.

Disclosure of the Existence of a Conflict

If any member of the AIHF Board of Trustees or AIHF committee knows, believes, or has reason to know or believe, that a conflict of interest exists with respect to any transaction involving AIHF, any decision of the Board, any decision of a committee, or any action taken by an officer or committee leader, such person must inform the committee's leadership, the appropriate staff contact, and then the AIHF Board of Trustees of the existence of such conflict of interest or potential conflict of interest. If the matter pertains directly to a AIHF Board of Trustees action or decision, it should be directly brought to the Board leadership's attention.

Annually, all Board members must sign the AIHA Conflicts of Interest form upon appointment regardless of whether or not there are existing conflicts. Non-Board volunteers may sign only once upon joining any group but are expected to update their form if conflicts arise over time.

Resolution of Conflicts on AIHF Scholarship Advisory Committee, AIHF Donor Relations Committee or Other Committees

If it is determined a conflict of interest exists, and a member has made full disclosure of the facts surrounding the conflict, then the committee must determine whether the member may fully participate in the deliberations and/or vote(s) regarding the affected transaction. If the member merely discloses the existence of the conflict of interest or potential conflict of interest but fails to disclose or is prohibited from disclosing all material facts regarding the conflict, then such volunteer leader must be prohibited in participating in any manner or form in the deliberations or decisions regarding the affected transaction. This recusal must be recorded in the meeting minutes.

Where conflicts are identified and fully disclosed as described above, the remaining members of the committee must make a fair and full evaluation of all facts pertaining to the conflict of interest to determine its extent. If the remaining members of the committee, and the Board, determine in writing that the nature and extent of the conflict of interest is so substantial and of such a continuing nature that they believe it would be impossible for the member to discharge the duties of his or her office with the requisite degree of loyalty and integrity, then the committee may request the resignation of the member who is subject to the conflict of interest.

Where conflicts cannot be resolved to the satisfaction of all parties, the matter must be referred to the Board of Trustees for a final resolution.

Attachments

- A: Frequently Asked Questions
- B: Conflict of Interest Disclosure Form

Attachment A

Conflict of Interest FAQ Document

Why does the AIHF need a Conflict of Interest policy and disclosure?

In an effort to ensure impartial and objective decision-making on policy development and content, all active volunteers are required to submit a Conflict of Interest Disclosure form, so potential conflicts are disclosed prior to any policy, product, or document development. Having updated forms on file for all Board members and active volunteers ensures potential conflicts are known prior to comment submission. AIHF encourages all its Board members and volunteers to follow ethical standards and principles, to comply with all laws, and to avoid any conflict of interest, or appearance of such.

What does “fiduciary responsibility” mean in relation to AIHF and its volunteer leaders?

With fiduciary responsibility, there is a strict standard of behavior expected for the AIHF volunteers. In general terms, a fiduciary is expected to be extremely loyal to the person or entity to whom they owe the duty (the "principal"). As a fiduciary, AIHF volunteers have a duty not to be in a situation where personal interests conflict with their duty to AIHF, such as to their employer, and a duty not to profit from their position without expressed knowledge and consent of the AIHF.

Who must complete a Conflict of Interest Disclosure form?

Annually, all Board members must sign the form upon appointment regardless of whether or not there are existing conflicts. Non-Board volunteers (i.e., active volunteers of the Scholarship Advisory Committee, AIHF Donor Relations Committee, and any other committees established) may sign only once upon joining any group but are expected to update their form if conflicts arise over time.

How are “compete” and “organization” defined, for the purposes of this policy and disclosure?

The use of “compete” in the AIHF Foundation Conflict of Interest Policy and Disclosure form does not have solely negative connotations, but rather points to other entities that may have similar areas of interest. Similarly, “organization” encompasses more than trade associations or professional societies and can include other administrative and functional structures such as businesses and corporations. A competing organization includes, but is not limited to, not-for-profit organizations and associations, employers, companies, suppliers, and vendors.

What are examples of conflicts of interest?

Every case of potential conflict of interest needs to be evaluated within the context and scope of the potential conflict. The AIHF cannot provide an all-encompassing checklist or list of examples. However, we can provide some additional points to consider. A conflict of interest may be anything that could:

- Impact or interfere with you fulfilling your duty to the AIHF
- Prevent you from acting in the AIHF's best interest
- Cause you to have an interest or position that is not consistent with, or interferes with your ability to uphold the AIHF mission or strategic goals
- Interfere with your duty to the AIHF

What is meant by “Other organization(s) to which I belong” and “Organization(s) in which I have a financial interest”?

You may be a member of another professional association or society in the industrial hygiene or occupational and environmental health and safety area. It is your level of participation in those groups, regardless of position (i.e., leader or member), where a potential conflict of interest may exist, and for which we are asking that you self-disclose. If you are a member of an organization but are not an active participant in any of its activities, the potential for conflict of interest may not be present.

Organizations can also include employers and other entities beyond other professional associations and societies. You may have a financial interest in many organizations, but that relationship may not have any impact on your service to the AIHF. It is those relationships that may be impacted by AIHF's position or services that may be potential conflicts of interest and for which we are asking that you self-disclose.

It is not the AIHF's intention to force a member to choose between joining/ participating in AIHF activities or other organization activities unless that participation materially affects the strategic direction of the AIHF and/or potential confidential business information.

Due to the strategic nature of their appointment, volunteer leaders serving on the AIHF Board of Trustees or on AIHF committees shall refrain from concurrent service during their tenure on the Boards of organizations deemed to be of a competitive nature (e.g., ACGIH, BGC, ASSP). The AIHF may convene to discuss this matter as needed.

What happens if I self-identify as having a potential conflict of interest? How is an identified conflict of interest handled?

The AIHF Board of Trustees has the authority to determine if a substantial conflict of interest exists and what measures should be taken to mitigate or eliminate the conflict of interest, including a request to resign from the committee.

What happens if I refuse to sign the Conflict of Interest Disclosure Form?

First, we would encourage the group leadership to discuss the matter with you and try to resolve any problems. However, in the end, if you do not sign the form, you will not be allowed to serve as an active volunteer on any group within the AIHF.

Attachment B

Conflict of Interest Disclosure Form

I have reviewed the AIHF Conflict of Interest Policy and agree to be bound by its provisions for the duration of my appointed or elected term.

AIHA Volunteer Groups(s), National Committees, Advisory Groups, Task Forces, Project Teams in which I participate:

Outside groups/entities for which I am requesting to be the appointed as a: ☐ liaison OR ☐ representative
OR ☐ not applicable

Other outside organizations to which I, or a member of my immediate family, belong that may be affected by, or may affect, my AIHF service:

Organization(s) that I, or a member of immediate family, have a financial interest in that may be affected by, or may affect, my AIHF service:

By signing below, I further acknowledge and certify that —

I have truthfully and to the best of my knowledge identified in writing all relevant potential sources of bias and conflicts of interest, including all professional, consulting, and financial connections, as well as pertinent intellectual positions and public statements, that could be associated with my AIHF activities and will do so as these may arise in the future. I further acknowledge and state that, if during the course of the next year, any matters arise or issues are presented that could create a conflict of interest, apparent conflict of interest or bias for me, as those terms are described above, I will immediately provide AIHF with a written disclosure of such conflict of interest, apparent conflict of interest or bias.

The information I declare is solely for the confidential review by AIHF, and I do not authorize further disclosure or release of any of it for any other use.

Name (print or type)

Signature

Name of Employer

Title

Date