

## **Conflict of Interest Policy:**

Any member of the FSMTA Executive Board and/or FSMTA committees who may be involved in a FSMTA business transaction in which there may be a possible conflict of interest shall disclose the potential conflict to the other members of the Board or committee before any discussion and vote with respect to the transaction. Such disclosure shall be recorded in the minutes of the meeting at which it is made. The member shall refrain from voting on any such transaction, participating in deliberations concerning it, or using personal influence in any way in the matter. The foregoing requirements, however, should not be construed to prevent the member from briefly stating a position on the matter or from answering pertinent questions from other Board or committee members by reason of the fact that personal knowledge on the matter may be of assistance to the other members in reaching their decision. The member's presence may not be counted in determining the quorum for any vote with respect to the business transaction which involves a potential conflict of interest. A written disclosure regarding any possible conflicts and of any adjustments made to avoid possible conflicts of interest shall be kept by the President.

## **Definitions:**

"Involved in a FSMTA business transaction" is defined as initiating, making the principal recommendation for, or approving a purchase or contract; recommending or selecting a vendor or contractor; drafting or negotiating the terms of such a transaction; or authorizing or making payments from FSMTA accounts. That language is intended to include not only transactions for FSMTA's procurement of goods and services, but also for the disposition of FSMTA property, and the provision of services or space by FSTMA.

A "possible conflict of interest" is deemed to exist where the President/CEO or close relative, or a member of that person's household is an officer, director, employee, proprietary, partner, or trustee of, or, when aggregated with close relatives and members of that person's household, holds 35% or more of the issued stock in the organization seeking to do business with FSMTA. A possible conflict is also considered to exist where such a person is (or expects to be) retained as a paid consultant or contractor by an organization which seeks to do business with FSMTA, and whenever a transaction will entail a payment of money or anything else of value to the official, member, close relative, or member of that person's household.

A "possible conflict of interest" exists when an individual affiliated with FSMTA has an interest in an organization which is in competition with a firm seeking to do business with FSMTA if the individual's position gives them access to proprietary or other privileged information which could benefit the firm in which he or she has an interest.

A "possible conflict of interest" exists when an individual affiliated with FSMTA is a trustee, director, officer or employee of a not-for-profit organization which is seeking to do business with or has a significant connection with FSMTA or is engaged in activities which could be said in a business context to be "in competition with" the programs of FSMTA.