

ANTITRUST COMPLIANCE POLICIES & PROCEDURES

ECNE's policy is to be in strict compliance with all Federal and State Antitrust laws, rules and regulations. Therefore:

- I. These policies and procedures apply to all membership, board, committee and other meetings of ECNE, and all meetings attended by representatives of ECNE.
- II. Discussion of prices or price levels is prohibited. In addition, no discussion is permitted of any elements of a company's operations which might influence prices such as:
 - A. Cost of operations, supplies, labor or services.
 - B. Allowance for discounts.
 - C. Terms of sale, including credit arrangements.
 - D. Profit margins and mark ups, provided this limitation shall not extend to discussions of methods of operation, maintenance, and similar matters in which cost or efficiency is merely incidental.
- III. It is a violation of Antitrust Laws to agree not to compete, therefore, discussions of division of territories or customers or limitations on the nature of business carried on or products sold are not permitted.
- IV. Boycotts in any form are unlawful. Discussion relating to boycotts is prohibited, including discussions about blacklisting or unfavorable reports about particular companies including their financial situation.
- V. All meetings attended by representatives of the Council where discussion can border on an area of antitrust sensitivity requires that the representative terminate the conversation and request that the termination be recorded in the meeting minutes. Any such instances should be reported to the Executive Director's attention immediately.
- VI. All meeting minutes, reports, surveys and other publications must be approved by the Executive Director prior to distribution.

Examples of inappropriate material for any Council forum:

- Information regarding pricing of equipment or supplies, or the cost of any contracts with manufacturers, suppliers, or service organizations (or such characterizations as 'more expensive' or 'less expensive') or that encourage or facilitate an agreement about discounts, terms or conditions of sale, salaries, profits and market territories.
- Reference to commercial relationships and bid lists.
- Information that is critical of a supplier or its products. Factual information regarding specific equipment use, failures, repairs, etc. is allowed. Commentary that is defamatory or libelous is not allowed.
- Engage only in legal and proper activities. You may not advocate illegal or improper conduct through an ECNE forum.
- Do not distribute unauthorized copies of proprietary or copyrighted material.
- Expressions of bigotry, hatred, harassment, or abuse, or threats of harm to anyone will not be tolerated, nor is sexually explicit material allowed. ECNE members should abide by all codes of conduct adopted by their employer while at a Council meeting or event.