

This document is a collection of the most frequently asked questions regarding AIHA's Conflict of Interest Policy.

Why does AIHA need a COI policy and disclosure?

AIHA policy has previously required COI disclosure for many of AIHA's volunteer leaders, including elected Board members, members of our WEEL and ERP Committees, and members of publication development teams. With our change in volunteer group structure to become more project-team focused, every regular committee member is now involved in the development or provision of an AIHA product or service. Additionally, AIHA calls upon its members frequently to provide review and comments on pending legislation, regulation, and other documents – often with very tight deadlines. Having current COI forms on file for all of our active volunteers just makes sense in these days of rapid communication and project development. A policy requiring COI disclosure of all AIHA volunteer leaders helps to ensure no new entities or "gray" areas are left uncovered.

The COI forms distributed to currently active volunteers – including all regular committee, task force, advisory group, and working group members – are essentially the same forms that AIHA has been using the past few years for publication project members, AIHA Board, and our WEEL and ERP Committees. Those members involved with AIHA's Affiliate Laboratory Programs are asked to complete a similar form, one that is more specific to the unique nature of the programs.

AIHA encourages all of its volunteer leaders 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 AIHA and its volunteer leaders?

With fiduciary responsibility there is a strict standard of behavior expected for AIHA's volunteer leaders. 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, AIHA's volunteer leaders have a duty not to be in a situation where personal interests and fiduciary duty to AIHA conflict, a duty not to be in a situation where their fiduciary duty to AIHA conflicts with another fiduciary duty, such as to their employer, and a duty not to profit from their fiduciary position without express knowledge and consent of AIHA.

Who must complete a COI disclosure form?

On an annual basis, COI forms will be distributed to currently active volunteer leaders – committee, task force, advisory group, and working group members; project team members; Board members, etc.

How are “*competete*” and “*organization*” defined, for the purpose of this policy and disclosure?

Compete has at its Latin roots the meaning to come together, agree, be suitable. Alternately, it means to strive consciously or unconsciously for an objective. The use of “*competete*” in AIHA's 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. AIHA cannot provide an all-encompassing checklist or list of examples of COI. 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 AIHA
- Prevent you from acting in AIHA's best interest
- Cause you to have an interest or position that is not consistent with AIHA's position, goals, or objectives
- Interfere with your duty and loyalty to AIHA

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

AIHA has many roles in supporting the industrial hygiene profession. Those roles include developing and disseminating positions on occupational health issues, guidelines for use by industrial hygienists in the practice of the profession, and participation in the efforts of other organizations that are developing guidelines and standards that may affect the industrial hygiene profession or the practice of industrial hygiene.

It is important here to include also the rest of the statement to keep the proper context: “that may be affected by, or may affect, my AIHA service”. 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, perhaps as a committee or Board member, that may be potential conflicts of interest and which we are asking that you self-disclose. If you are a member of an organization and are not an active participant in any of its activities, the potential for conflict of interest may not be present. “Organization(s)” 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 AIHA. It is those relationships that may be impacted by AIHA's position, products, or services that may be potential conflicts of interest and which we are asking that you self-disclose.

It is not AIHA's intention to force a member to choose between joining/participating in AIHA or other organizations. However, if a volunteer is participating in, for example, one of our guideline development project teams and that person is also on a standard development committee for another organization or is employed by a company whose product line will be impacted by the guideline, AIHA needs to know that and then have the volunteer group determine if there is a conflict of interest.

What happens if I self-identify as having a potential conflict of interest?

While staff will be the repository of the COI forms and will perform the initial review for self-identified areas of potential conflict of interest, the members of the affected volunteer group are best positioned to determine if a substantial COI exists and what measures, if any, should be taken to mitigate or eliminate the conflict of interest.

No individual who has an actual conflict of interest shall be required to resign his or her position with AIHA merely because of the existence of a conflict. It would be expected that the initial evaluation of all facts

pertaining to the potential conflict of interest be conducted by the remaining members of the volunteer group or project team in which the individual is involved.

How is an identified potential conflict of interest handled?

If you identify a potential COI on the disclosure form, no automatic action is dictated except review by the others on the team of the disclosed relationship and their evaluation of the impact on the team's work or project. While AIHA staff will be the repository of the COI forms and administer the annual renewal process, the volunteer groups are best positioned to determine if a substantial COI exists and what measures, if any, should be taken to mitigate or eliminate the conflict of interest.

If the remaining members of the volunteer group make a determination in writing that the nature and extent of the conflict of interest is so substantial and of such a continuing nature that it would be impossible for the volunteer to discharge his or her duties with the requisite degree of loyalty and integrity, then the volunteer group may require your resignation from the group.

Alternately, the volunteer group members may determine that you may continue in your role on the team, but that you would need to recuse yourself during certain discussions and votes.

Each potential conflict of interest situation needs to be reviewed and evaluated separately. The specific steps of the procedure to be followed would need to be developed to meet the situation at hand.

Similarly, if a potential conflict of interest is raised by a third party, either another member of the group or a stakeholder, a review by the others on the team of the relationship and their evaluation of the impact on the team's work or project will be completed.

Why do I have to complete another COI form? I did one last year!

Having COI statements renewed annually serves to (1) remind volunteers of our COI policy and (2) document any changes in your status. People change jobs, become members in different organizations, volunteer in different ways on an ongoing basis. A COI form signed even a year ago may not reflect your current situation.

What happens if I refuse to sign the COI?

First, we would encourage the committee leadership to discuss the matter with you and try to resolve any problems. However, in the end, if you do not sign the COI disclosure form, you will not be allowed to serve as a volunteer leader on any AIHA group including, but not limited to, serving as a regular Committee member, a member of a working group, or an elected Board member. Allowing a member to abstain from this requirement would weaken the policy's effectiveness.