



TEXAS J REGIONAL ADVISORY COUNCIL

PO Box 60028 • Midland, Texas 79711 • (432) 563-5554

www.texasjrac.org

Standard Operating Procedure

FINANCIAL SOP:	Conflict of Interest
SOP NUMBER:	F # 8
SOP EFFECTIVE DATE:	10/09
SOP REVIEWED:	11/09; 8/10
SOP REVISED:	

SOP AUTHORITY STATEMENT:

As stated in the By-Laws in Article VI.10 The Executive Committee shall be empowered to employ personnel to conduct the business of the RAC.

As stated in the By-Laws in Article IX.1 The Board of Directors may authorize any Officer or agent of the Organization to enter into a contract or execute and deliver any instrument in the name of and on behalf of the Organization. This authority may be limited to a specific contract or instrument or it may extend to any number and type of possible contracts and instruments.

As stated in the By-Laws in Article IX.5 As long as the organization is in existence, an Officer, Director, or Participant of the Organization shall not:

- D. Receive an improper personal benefit from the operation of the Organization.

OPERATING PROCEDURE:

In order to perform their duties with honesty and fairness and in the best interest of the Texas J RAC Participants and employees must avoid conflicts of interest. These standards may not cover every possible situation. If a participant or employee has any doubt or any question about any of his or her proposed activities, guidance or advice should be obtained from the Executive Committee and/or legal counsel.

1. In order to avoid possible conflicts of interest, Participants and employees of the Texas J RAC should not:
 - a. Hold, directly or indirectly, a position or office or a material financial interest in any business enterprise from which the Texas J RAC obtains goods or services without fully disclosing that position, office or interest to and obtaining the written consent of the Executive Committee.
 - b. Hold, directly or indirectly, a position or office in or a material financial interest in any concern or entity with which the Texas J RAC competes without fully disclosing such position or office to and obtaining the written consent of the Executive Committee.
 - c. Render directive, managerial or consultative services to any concern or entity from which the Texas J RAC obtains goods or services or with which the Texas J RAC competes without fully disclosing such directive, managerial or consultative services to and obtaining the written consent of the Executive Committee.

- d. Engage in any activity, including but not limited to the purchase or sale of services, goods, property or property rights, in competition with the Texas J RAC without fully disclosing such activity to and obtaining the written consent of the Executive Committee.
 - e. Accept gifts, excessive entertainment or other favors or gratuities from any concern, entity or person that does or is seeking to do, business with or is in competition with the Texas J RAC. A “gift” includes any cash or non-cash payments, discounts, favors, meals, entertainment, use of aircraft or automobiles and services or other consideration of value. This paragraph, however, does not include nor prohibit the acceptance of items of nominal or minor value (1) that are clearly tokens of respect or friendship and not related to any particular transaction or activity of the Texas J RAC; or (2) which do not go beyond the common courtesies usually associated with accepted business practices, such as baseball caps and the exchange of lunch or dinner meetings which occur as a normal part of a healthy business relationship.
 - f. Make any payment, except for goods or services rendered or to be rendered or give any gift or gratuity to any concern, entity or person doing business directly or indirectly with the Texas J RAC, including agents or representatives of any such concern, entity or person, which goes beyond the common courtesies usually associated with accepted business practices.
 - g. Use any property of the Texas J RAC for private or individual purposes or benefit without fully disclosing that use to and obtaining the written consent of Executive Committee.
 - h. Utilize the purchasing mechanism of the Texas J RAC for private or individual purchases.
 - i. Work at the Texas J RAC through any agency or other contractor or subcontractor while simultaneously an employee of the Texas J RAC unless approved by the Executive Committee.
2. Violation of this SOP may result in disciplinary action up to and including termination of employment and/or participation in the Texas J RAC.