

**UNITED WAY OF GREATER MERCER COUNTY  
BOARD OF TRUSTEES  
CONFLICT/DUALITY OF INTEREST POLICY AND DECLARATION**

**POLICY STATEMENT:**

It is the policy of the United Way of Greater Mercer County (UWGMC) that all officers, board members, and volunteers shall exercise the utmost good faith in all funding decisions and transactions touching upon their duties to UWGMC, its resources and purpose. In their dealing with and on behalf of UWGMC, their judgments and determinations shall be guided by a rule of honest and fair dealing between themselves and UWGMC.

It is the policy of UWGMC that any duality of interest or possible conflict of interest on the part of any officer, member of the Board of Trustees, or volunteer be disclosed to the Board of Trustees. This disclosure should include the nature of the external interest that could potentially conflict with the individual's role as a representative of UWGMC.

Decision-making regarding the granting of funds for needed human service programs is a complicated and demanding process. The decision-making process developed by the United Way is unique in its structure and composition. In order to have the highest quality decisions made that impact the delivery of services to persons in need throughout Mercer County. The United Way has incorporated the use of volunteers in the process. The demand made of the people who make the recommendations for funding is to be fair and impartial, while incorporating expertise and knowledge of critical human services. To that end, UWGMC asks each volunteer to declare openly and freely his or her conflict of interest.

**RESPONSIBILITIES:**

The officer, board member, or volunteer is responsible for disclosure to the Board of Trustees of any potential conflict/duality of interest. The Chair of the Board has the responsibility of informing each new officer, member, and volunteer of such policy and receiving assurance of compliance should the individual agree to serve as a UWGMC representative

**PURPOSE:**

The purpose of this policy is to provide a systematic and ongoing method of assisting officers, Board members, and volunteers in disclosing and resolving potential conflicts/dualities of interest, thus assuring our community and public-at-large of good faith and integrity of the officers, board members, and volunteers of UWGMC.

**PROCEDURE:**

1. Each new officer, board member, or volunteer in any capacity, prior to taking his/her position with UWGMC, and all presently holding such positions as soon as practicable after the adoption of this policy, shall disclose, in writing, on the attached Disclosure Statement to the Chair of the Board of Trustees, the nature of any external interests that potentially conflict with or represent a duality of interest with his/her interest as a UWGMC officer, board member, or volunteer. Such conflict/duality of interest includes, but is not limited to,

directorship, management, employment ownership, consultation, or related business with UWGMC, or where there is great likelihood that such concern will be doing business with UWGMC. A vendor of goods or services to UWGMC is considered to be a potential only if the value exceeds \$ 1000 per year. Any immediate future expectancy of employment or vending of goods and services is deemed a potential conflict of interest

2. A second area requiring disclosure include interests potentially in competition with UWGMC, and/or the involvement with institution requesting or providing funds or services similar to UWGMC. A conflict/ duality of interest is deemed to exist when a volunteer has a “related party interest” with an entity seeking funding from United Way. A related party interest is defined as one in which the volunteer is an affiliate of the entity, a board member of the entity, a paid staff or consultant of the entity, or a recipient of service of the program of the entity. Any immediate or future expectancy of employment/consulting/volunteering or vending of good and services with an organization requesting are deemed a potential duality of interest.
3. Other areas requiring disclosure includes officers, directors or key employees having a family relationship with another officer, director or key employee.
4. Whenever an officer, board member or volunteer assumes new external interests that potentially conflict with his/her role with UWGMC, such individuals will disclose in writing the nature of such external interests.
5. The Chair of UWGMC will distribute a disclosure statement to all officers, board members, and volunteers annually to be completed and returned to the Chair.
6. By itself, a disclosure of affiliation or possible conflict/duality of interest does not void the vote of an officer or board member with affiliation or of a volunteer participating in a discussion or funding recommendation. If the details of the affiliation are revealed to UWGMC in good faith, or known to the Board of Trustees, and the voted upon is carried by sufficient number as not to have counted the vote of the affiliate officer, board member, or volunteer that individual’s vote is allowable. If there was no disclosure, or knowledge, or if the vote of the officer, board member, or volunteer was necessary for the authorization of a contract, transactions, or funding decision, UWGMC may void the contract, transaction or decision unless the part or parties establish affirmatively that the contract, transaction or decision was fair and reasonable at the time it was authorized by UWGMC.

**DISCLOSURE STATEMENT**

Pursuant to the purpose of requiring disclosure of certain interests, I hereby state that, to the best of my knowledge, I, my family, spouse, significant other, and/or relatives have no affiliation or interest which in conjunction with my relationship to United Way of Greater Mercer County might constitute a real or perceived conflict of interest/duality of interest, except as noted below. (If none, write "None"). I, my family, Spouse, Significant other, and / or relatives do not have a family relationship or business relationship with any other officer, director, trustee or key employee, except as noted below. I have read the purpose, responsibility, and procedure for disclosing affiliations

In addition, pursuant to New Jersey Office of the Attorney General, Division of Consumer Affairs, Office of Consumer Protection, Charities Registration Section, Form CRI-300R, I affirm that I have never been found to have engaged in unlawful practices in the solicitation of contributions or administration of charitable assets or been enjoined from soliciting contributions and there are no such proceedings pending (If yes, please indicate below and attach to this disclosure photocopies of any and all written documentation such as court order, administrative order, judgment, formal notice, written assurance or other proof which shows final disposition of matter); and I have never been convicted of any criminal offense in connection with the performance of activities regulated under this act or any criminal or civil offense involving untruthfulness or dishonesty or any criminal offense relating adversely to the UWGMC's fitness to perform activities regulated by this act (A plea of guilty, non vult, nolo contendere or any similar disposition of alleged criminal activity shall be deemed a conviction); and I have not been adjudged liable in any administrative or civil action involving theft, fraud or deceptive business practices (If yes, please indicate below and attach a copy of any order, judgment or other documents indicating the final disposition of the matter).

**ORGANIZATION/INDIVIDUAL  
COMPANY/VENDOR**

**NATURE OF CONFLICT/DUALITY**

---

---

---

---

I also agree to report to the UWGMC Chair of the board of Trustees any situations that may develop in the above areas before completion of my next annual questionnaire.

DATE: \_\_\_\_\_ NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

**APPROVED BY UNITED WAY OF GREATER MECER COUNTY BOARD OF TRUSTEES**

**June 24, 2014**