

**ANTI-TRUST COMPLIANCE POLICIES AND PROCEDURES**

IT SHALL BE THE POLICY of the National Association of Elevator Contractors to be in strict compliance with all Federal and State Antitrust Rules and Regulations, therefore;

BE IT RESOLVED, that the following are adopted as the National Association of Elevator Contractor's Antitrust Compliance Policies and Procedures:

1. These policies and procedures apply to all membership, board, committee and other meetings sponsored by the Association, all meetings attended by representatives of the Association and to the Association's employees in all of their activities within the scope of their employment.
2. All meetings of the Association whether membership, board, committee or any other type of meeting sponsored by the Association, shall be conducted to avoid even the appearance that members are taking common action which might unreasonably restrain trade.
3. Discussions of prices or price levels is prohibited. In addition, no discussion is permitted of any elements of a company's operations which might influence price such as (a) company costs of operations, supplies, labor or services, (b) allowances for discounts, (c) terms of sale including credit arrangements, and (d) profit margins and mark up; provided this limitation shall not extend to discussions of methods of operation, maintenance, and similar matters in which cost or efficiency is merely incidental.
4. It is a violation of the 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.
5. 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.
6. It is the Association's policy that, in all meetings attended by representatives of the Association where discussion can border on an area of antitrust sensitivity, the Association's representatives request that the discussion be stopped and ask that the request be made a part of the minutes of the meeting being attended. If others continue such discussion, the Association's representatives should excuse themselves from the meeting and request that the minutes show that they left the meeting at that point and why they left. Any such instances should be reported immediately to the Executive Director of the Association and through him to legal counsel so that the matter can be reviewed and a determination be made as to the necessity of further action by the Association.
7. It is the Association's policy that a copy of these Antitrust Compliance Policies and Procedures be given to each director, committee member, official representative of member companies and Association employees annually, that the same be distributed to the membership prior to any major meeting of the Association and be permanently displayed in the Association's offices.
8. A prepared agenda will be written and followed at all meetings. Particular attention will be paid to avoiding discussions as outlined in Paragraph 3 heretofore.
9. Formal minutes of the business meetings will be written and filed.

By following these guidelines, members can meet to transact lawful Association business for the betterment of the industry.

(Adopted by NAEC Board, October 6, 1990)