

 <p>An education that pays</p>	Title: <b>NAPTA ANTITRUST GUIDELINES FOR MEETINGS</b>	
	Function: Human Resources	
	Policy No: HR-Anti-Trust	Page: 1 of X1
	Effective Date: 06-01-17	Supersedes:
Preparer: David King/Eric Newby		Owner/Approver: Executive Director

The North American Process Technology Alliance (NAPTA) is a nonprofit, tax-exempt membership association organized to support the development of a diverse, qualified Process Technology talent pool to meet workforce needs in North America. These worthwhile activities are sanctioned by custom and law. It is important, however, to recognize that these activities are subject to the legal limits of federal and state antitrust laws and, in particular, to be aware of the limits of the antitrust laws when participating in NAPTA meetings. NAPTA is committed to complying with the antitrust laws in all respects and has adopted the following guidelines in order to facilitate compliance with the antitrust laws when conducting NAPTA meetings at both the Membership and Board levels.

**I. Role of Chairperson.** Each meeting (whether in person or by telephone) will have a Chairperson who will ensure that discussion follows the agenda and that participants have and are aware of these guidelines. Matters outside of the scope of the agenda should not be discussed without the approval of the Chairperson. If necessary, the Chairperson will redirect, limit, or stop discussion in order to ensure compliance with these guidelines.

**II. Participation Must Be Voluntary.** Participation in NAPTA and all NAPTA activities must be voluntary, and each member must decide on its own whether participation in NAPTA or any NAPTA activity is in its independent interest.

**III. Subjects of Discussion.** As a general matter, the antitrust laws prohibit competitors from agreeing on the prices they will charge, the products they will offer, the customers they will serve, or the markets in which they will compete. Therefore, there should be no discussion or disclosure of information with respect to (a) expected profits, premiums, prices, surcharges, or discounts; (b) specific customers or classes of customers, or whether you will or will not do business with them; (c) proposed product offerings; (d) allocation of geographic or product markets; (e) any refusal to deal with a customer or supplier; (f) how to deal with the market behavior of a competitor; or (g) any other topic involving a potentially anticompetitive practice.

Some subjects of discussion may lead to agreements that are not unlawful on their face but that may have an unlawful anticompetitive effect or may give rise to the inference of an anticompetitive act, depending upon their scope and how they are implemented. Other subjects may appear to be prohibited by the antitrust laws but in fact may be permitted because of the context or ultimate purpose of the communication. Whether discussing a subject is permissible may vary depending on factors such as the nature of the subject matter, its relationship to competition among NAPTA members, the purpose of the communication, and the degree of restraint that NAPTA members can be expected to exercise. Any questions regarding the permissible scope of a discussion should be directed to the NAPTA Executive Director.

**IV. Informal Meetings.** There should be no informal, secret, or “rump” meetings in which some or all NAPTA members discuss matters that are potentially anti-competitive “off the record.”

**V. Questions, Concerns.** Questions or concerns about these guidelines or about any NAPTA-sponsored meeting, discussion, or practice should be directed to Eric Newby, Executive Director, at 409-658-5892 or [director@naptaonline.org](mailto:director@naptaonline.org)