



SOP TITLE	Addressing Conflicts of Interest in the NEFAP EC
SOP NO.	5-107
REVISION NO.	0
PROGRAM	NEFAP

SOP Approval Dates

	Initial Approval	Last Revision Date	Last Review Date
Committee: NEFAP EC	11/20/19		
Program: NEFAP	11/20/19		
Policy Committee Review	12/6/19		
TNI Board of Directors Endorsement	NA (5/12/2021)		
SOP Effective Date	11/20/19		

1.0 Purpose and Applicability

This Standard Operating Procedure (SOP) is intended to address how the National Environmental Field Activities Program Executive Committee (NEFAP EC) handles Conflicts of Interest (COI) in its activities. The TNI Conflicts of Interest Policy 1-101 states the expectation that all TNI members or any person acting on behalf of TNI shall not be involved in actions representing actual, potential or perceived conflicts of interest without disclosure as described in this policy.

2.0 Summary

This SOP details the process that the NEFAP EC shall follow in addressing COI for activities which affect other TNI committees or programs, or activities outside of the TNI organization.

3.0 Related Documents

[Reserved]

4.0 Definitions

Conflict of Interest (COI)	A condition or circumstance that makes a person unable or potentially unable to act or deliver services impartially resulting from activities or relationships with other persons, or a condition or circumstance that makes a person obtain or potentially obtain an unfair competitive advantage.
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5.0 Identifying Conflicts of Interest

- 5.1 The NEFAP EC is a balanced committee composed of members representing three categories of stakeholders; NEFAP Accreditation Bodies, Laboratories/Field Sampling & Measurement Organizations (FSMOs), and Other. Within these categories, the committee membership represents as much diversity as possible, particularly for the “Other” category.
- 5.2 Because of the diversity of the committee’s membership, it is understood that each person may have a particular viewpoint on an issue. This is why TNI imposes the requirement that “no one stakeholder group dominates” in committee membership.
- 5.3 Committee members shall declare potential, perceived or actual conflicts of interest (COIs) when the NEFAP EC takes action (*i.e.*, votes) on any matter except for routine administrative issues (*i.e.*, approval of minutes, new members, or operational documents such as SOPs, Policies, FoPT tables or standards).
 - 5.3.1 When a person has doubt as to whether a conflict of interest may exist, the person shall declare the presumed conflict so it can be properly evaluated.
 - 5.3.2 If an individual wishes the nature of his or her conflict to remain private, that person may simply recuse themselves from the issue at hand. Recusal shall be effective for both discussion and voting purposes, and the vote counted as an abstention.
- 5.4 When an actual, potential or perceived COI is identified, then the committee along with the individual(s) so affected will decide whether or not further action, such as recusal from participating in the formal discussion (*i.e.*, after the initiating motion is made) and abstaining from the vote itself, is appropriate or necessary.
- 5.5 Any TNI member or agent who intentionally undertakes any TNI activity for which an actual, potential or perceived conflict of interest exists without declaring such a conflict in advance is in

violation of this procedure and may be subject to disciplinary action, up to and including dismissal from the committee or referral to the TNI Board of Directors.

6.0 When the Committee Cannot Reach Consensus on Whether a COI Warrants Recusal

The Executive Committee of the TNI Board of Directors is the final evaluator of any disputes regarding a conflict of interest claim that has not been resolved by the affected program.

7.0 References

Policy 1-101: Conflicts of Interest
Policy 1-102: Ethical Conduct of TNI Members
Policy 1-107: Membership Code of Ethics

8.0 SOP Approved Changes

Revision No.	Effective Date	Description of Change
0	11/20/19	New Document