

**PHILADELPHIA HOSPITAL AND
HEALTH CARE DISTRICT 1199C
TRAINING AND UPGRADING FUND
CONFLICT OF INTEREST POLICY**

The purpose of this Conflict of Interest Policy (the “Policy”) and procedures is to complement the Philadelphia Hospital and Health Care District 1199C Training and Upgrading Fund’s (“Fund”) obligations under ERISA to prevent the personal interest of staff members, Board of Trustees, and volunteers from interfering with the performance of their duties to, or result in personal financial, professional, or political gain on the part of such persons at the expense of the Fund or its participants, supporters, and other stakeholders.

Trustees, staff members and volunteers (“individual(s)”) should disclose to the Board and avoid participating in decisions regarding situations where their personal and professional relationships may create actual or apparent conflicts of interest with the Board or the Fund. Generally speaking, a conflict of interest occurs when an individual or an individual’s immediate family’s personal interest interferes, has the potential to interfere, or appears to interfere with: (a) the interests or activities of the Board or the Fund; or (b) the ability of the individual to carry out his or her duties and responsibilities.

An individual who becomes aware of a proposed Covered Transaction should immediately:

1. Disclose to the Board the existence and circumstances of any transaction or relationship that he or she reasonably expects could give rise to an actual or apparent conflict of interest with the Board or the Fund;
2. Refrain from using his or her personal influence to encourage the Board or the Fund to enter into the transaction; and
3. Physically excuse himself or herself from participation in any discussions regarding the transaction with the Trustees, professionals and employees of the Fund and at meetings of the Board, except to respond to requests for information about the transaction.

If the Board believes there has been a violation of this Policy or a failure to disclose actual or possible conflicts of interest, it shall take action necessary to correct the violation.

Annual Statements

1. Each staff member, Trustee, and volunteer with delegated powers shall annually sign a statement which affirms such person:
 - a. Has received a copy of the conflict of interest policy,
 - b. Has read and understands the policy,
 - c. Has agreed to comply with the policy, and

- d. Understands the Fund is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.
2. Each Trustee of the Board shall annually sign a statement which declares whether such person is an independent trustee. A trustee shall be considered “independent” for the purposes of this policy if he or she is “independent” as defined in the instructions for the IRS 990 form.
3. If at any time during the year, the information in the annual statement changes materially, the trustee shall disclose such changes and revise the annual disclosure form.
4. The Executive Committee shall regularly and consistently monitor and enforce compliance with this policy by reviewing annual statements and taking such other actions as are necessary for effective oversight.

Periodic Reviews

To ensure Fund operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits are reasonable, based on competent survey information (if reasonably available), and the result of arm’s length bargaining.
- b. Whether partnerships, joint ventures, and arrangements with management organizations, if any, conform to Fund’s written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement or impermissible private benefit or in an excess benefit transaction.

Use of Outside Experts

When conducting the periodic reviews, Fund may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the Board of its responsibility for ensuring periodic reviews are conducted.

**Trustee and Officer
Annual Conflict of Interest Statement**

1. Name: _____ Date: _____

2. Position:

Are you a Trustee? Yes No

Are you an Officer? Yes No

If you are an Officer, which Officer position do you hold:

_____.

Are you a Staff Member? Yes No

3. I affirm the following:

I have received a copy of the Philadelphia Hospital and Health Care District 1199C Training and Upgrading Fund Conflict of Interest Policy. _____ (initial)

I have read and understand the policy. _____ (initial)

I agree to comply with the policy. _____ (initial)

I understand that Philadelphia Hospital and Health Care District 1199C Training and Upgrading Fund ("Fund") is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of tax-exempt purposes. _____ (initial)

4. Disclosures:

a. Do you have a financial interest (current or potential), including a compensation arrangement, as defined in the Conflict of Interest policy with Fund? Yes No

i. If yes, please describe it: _____

ii. If yes, has the financial interest been disclosed, as provided in the Conflict of Interest policy? Yes No

b. In the past, have you had a financial interest, including a compensation arrangement, as defined in the Conflict of Interest policy with the Fund? Yes No

i. If yes, please describe it, including when (approximately):

ii. If yes, has the financial interest been disclosed, as provided in the Conflict of Interest policy? Yes No

5. Are you an independent trustee, as defined in the Conflict of Interest policy? Yes No

a. If you are not independent, why? _____

Signature of Staff Member

Date: _____

Date of Review by Executive Committee: _____