

Policy on Antitrust Compliance

The policy of the Warehousing Education and Research Council is to comply fully with all laws applicable to its programs and activities, including federal and state antitrust laws. Each member, officer, director and employee is individually responsible for adherence to this policy and the Guidelines below. You should promptly communicate to WERC's Executive Director any concerns about whether your conduct or that of others at WERC programs and activities complies with this policy.

The antitrust laws are designed to preserve free and unfettered competition and have been applied to prohibit a broad range of conduct among competitors that unreasonably restrains trade. WERC's programs and activities may entail direct communications among competing organizations engaged in warehousing and related activities. Therefore, it is important that you avoid inappropriate conduct that could raise antitrust concerns.

The Guidelines highlight conduct that can raise the most serious concerns, but do not describe all antitrust standards applicable to WERC and its members. You should use good judgment in connection with all WERC activities and avoid any conduct that appears capable of restraining competition. You also should seek guidance from your own counsel or the Executive Director of WERC if specific antitrust concerns arise.

Guidelines

DON'T make announcements about or discuss at WERC programs or meetings:

- Your prices or those of other industry members.
- Other price-related information about your business or that of other industry members (i.e., costs, discounts, profit margins, terms of sale, credit terms, pricing procedures, formulas).
- Allocation of markets, customers, products or services.
- Whether pricing or other competitive practices of any industry member are improper or objectionable.
- Whether to deal or refuse to deal with any industry member due to its pricing or other competitive practices.
- Your future intentions or those of any other industry member concerning pricing, marketing, purchasing or the geographic/product scope of operations.
- Any confidential, competitively sensitive information.

DON'T stay at any WERC program or meeting where discussion or comments about these subjects occur.

- DO** notify WERC's Executive Director promptly of any conduct at WERC programs or meetings that appears contrary to these Guidelines or WERC's Policy on Antitrust Compliance.
- DO** have a WERC staff person present at all WERC programs or meetings.
- DO** insist that a written agenda is followed and minutes kept at all WERC meetings.
- DO** confer with WERC's Executive Director before speaking about a topic with competitive ramifications at any WERC program or meeting.
- DO** request review by WERC's Executive Director of any written materials concerning a WERC program that address a topic with competitive ramifications.
- DO** send copies of all WERC related communications to WERC's Executive Director.
- DO** notify WERC's Executive Director promptly about any inaccuracies in materials or statements concerning WERC programs or activities, particularly statements to government officials.
- DO** follow WERC's Bylaws, rules and policies, including this Policy on Antitrust Compliance.