



Illinois State Council

www.illinoisena.org

## OPERATIONAL POLICY

Title: **Antitrust Policy**  
Approved by: Illinois State Council Board of Directors  
Origination Date: 1/17/2015  
Review / Approval Date: 1/17/2015; 5/2016; 12/2019, 1/2023

### **POLICY:**

- 1.1 To ensure monitoring of organization activities in order to prevent violations of antitrust laws, Illinois ENA will adhere to federal and state antitrust laws and regulations applicable to 501(c)(3) organizations.

### **STANDARDS/CRITERIA:**

1. Under federal and state antitrust laws, Illinois ENA may be held liable for action that constitutes a restraint of trade.
2. Illinois ENA exercises extreme caution regarding its business decisions and does not engage in any activity that may result in an unreasonable restraint of trade.
3. Illinois ENA bases business decisions on stated, reasonable criteria that are applied objectively, considers all potential vendors, and documents the basis for decisions.

### **PROCEDURE:**

1. Illinois ENA consults ENA national legal counsel in advance of all new programs or changes in existing programs that have potential antitrust implications.
  2. Minutes of all Illinois ENA meetings accurately reflect the business conducted and reflect compliance with antitrust laws.
  3. An Illinois ENA member who has concerns regarding antitrust should immediately contact the president. The president consults with the Illinois ENA and ENA national legal counsel about concerns as warranted.
- 1.1 To protect a member who reports activity viewed as unlawful or unethical from retaliatory action.
  - 1.2 To offer a member a mechanism to report such activity.
  - 1.3 To ensure that Illinois ENA is as compliant as possible with the Sarbanes-Oxley Act of 2002.

### **STANDARDS/CRITERIA**

- 2.1 Illinois ENA, including its officers, will not take retaliatory action against any member for reporting suspected or actual occurrence(s) of illegal, unethical, or inappropriate events, behaviors, or practices.



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### PROCEDURE

3.1 If any member of Illinois ENA believes that some policy, practice, or activity of Illinois ENA is in violation of the law, the member must file a written complaint with the president.

3.2 It will then be determined who is responsible for investigating and notification of any additional authorities.

3.3 A member reporting suspected unlawful or unethical activity is to exercise sound judgment to avoid baseless allegations.

3.4 The whistleblower is protected from retaliation based on reporting activity in accordance with this policy and procedure.

3.5 The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.