

## **Les Turner ALS Foundation**

### **Policy on Industry Partner Engagements**

The Les Turner ALS Foundation (the “Foundation”) considers first and foremost its mission in serving its constituents in all decisions, including whether, how and when to enter into an engagement with a commercial entity. In many cases, activities that fulfill the Foundation’s mission are better accomplished through collaboration and alliances among like-minded organizations as opposed to being done alone. It is for this reason that the Foundation seeks to forge appropriate and productive collaborative engagements with industry partners to benefit the ALS community that move beyond transactional exchanges. These engagements are entered into thoughtfully, with careful consideration given to possible unintended effects, especially regarding the industry partner’s relationship with the ALS community and general public.

For the purpose of this policy, the Foundation defines the term “industry” broadly to include any commercial entity with a desire to provide products and services directly to the ALS community (including, but not limited to, pharmaceutical and biotech, hospice and other providers, home health, legal, medical and speech equipment, insurance, consumer, medical supply companies, and technology companies).

“Industry” also includes consumer commercial entities that have a broader interest than the ALS community.

#### **This policy is designed to**

- Enable the public and our constituents to better understand the purpose of industry partner engagements and appreciate the diligence taken to ensure that the public’s trust and faith are not violated by these engagements.
- Inform industry partners of the standards and practices under which the Foundation will consider collaborating and forming engagements.
- Create engagements beneficial for all constituents of the Foundation and/or the greater ALS community
- Ensure all actual or potential conflicts of interest in all potential engagements are addressed in accordance with the Foundation’s Conflict of Interest Policy

#### **Criteria for Inclusion**

Industry partners must share the Foundation’s values by demonstrating a commitment to:

- ethical business practices
- safe products and/or services
- customer service and satisfaction
- employee health and well-being
- community service

Industry partners must demonstrate:

- a focus on reaching the Foundation’s primary audiences
- existing communication channels that reach key audiences

- a favorable image among key audiences
- a history of creating long-term engagements with nonprofit organizations or an interest in doing so

### **Criteria for Exclusion**

The Foundation, at its sole discretion, will not enter into industry partner engagements with companies whose policies, practices or actions conflict with the Foundation's mission, values and programs.

### **Criteria for Evaluating Industry Partner Engagements**

The Les Turner ALS Foundation will use the following criteria for evaluating engagements with industry partners:

- **Independence:** The Foundation will exercise independent judgment in all its decision making related to any industry engagements.
- **Mission-related benefit:** The engagement must provide a meaningful mission-related benefit to the ALS community, public or particular constituencies of the Foundation. Mission-related benefit includes but is not limited to the following; awareness, education, support services, research, etc.
- **Consistency:** The engagement must be consistent with the Foundation's principles, values, public positions, policies and standards.
- **Adherence:** The engagement must adhere to all applicable federal, state and local laws and regulations.
- **Non-deceptive communications:** All materials from the industry partner or the Foundation directed to the public must contain accurate and non-deceptive terms or statements such that a reasonable person will understand the nature and extent of the engagement.
- **Endorsements:** The Foundation will not endorse products or services offered by any industry partner. However, the Les Turner ALS Foundation may from time to time, agree to promote an industry partner's press releases, scientific data or other information that may be educational and/or useful to our constituents.
- **Certifications:** The Foundation will not issue certifications for products or services.
- **Privacy:** Any personal information collected about people participating in industry sponsored activities and/or programs will not be shared outside the Foundation.
- **Balance:** The Foundation will evaluate on an annual basis the total amount of corporate support received as a percentage of total revenue as disproportionately large amounts could be perceived to diminish its independence.

The Foundation will conduct ongoing reviews of its Industry Partner engagements to ensure all criteria are met for inclusion.

### **Written Agreement**

The Foundation will execute a written agreement with any industry partner with which it enters into an engagement. The written agreement will incorporate the criteria listed above and clearly indicate:

- The amount of money that will be given to the Foundation, or in the case of a cause-related marketing campaign, the amount or percentage of money from the sale of merchandise which will go to the Les Turner ALS Foundation, the duration of the

campaign if known (e.g., the month of October), and any maximum or guaranteed minimum contribution amount (e.g., up to a maximum of \$200,000).

- Whether the payment is unrestricted or earmarked to support a particular event or program activity.
- A written description of the mission-driven activity (Program / Event, etc.) supported that both parties will agree to use for purposes of disclosure to the general public.
- The manner in which each party will disclose the support to the general public, (e.g., in an easily accessible location on their websites).
- The Foundation will retain complete control of and right of approval over all content related to the event or program activity.
- Whether, and if so, how the Foundation's name, logo and/or any identifying marks will be used by an industry partner to include on social media, in print, and electronically. The Foundation will not allow its name/logo or identifying marks to be used in any promotion or advertisement that names and compares competing products.

## **Disclosure**

The Foundation will, unless otherwise prohibited by law, disclose the financial support it receives from those industry partners on Schedule B of the Form 990 as required by law. (Currently, these disclosures are required for amounts equal to or greater than \$5,000.)

The disclosure information will be posted in the Foundation's Annual Report in an easily accessible location on its website within six months of the close of the fiscal year unless otherwise agreed to in a written agreement. (Currently, the Les Turner ALS Foundation discloses all annual gifts greater or equal to \$1,000 in its annual report.)

*This policy was adopted at the November 19, 2020 meeting of the Board of Directors.*