



**MAHARASHTRA MANDAL - CHICAGO
A NOT-FOR-PROFIT ORGANIZATION
REGISTERED WITH THE STATE OF ILLINOS
2071 GARDNER Circle E, AURORA, IL 60503**

STANDARD OPERATING PROCEDURES (SOPMMC- 005)

Note: This Standard Operating Procedure (SOP) SOPMMC-005 is drafted within the framework of the Maharashtra Mandal Constitution (MMC), adopted as presented in the notice of the Annual General Meeting (AGM) and ratified at the meeting held on November 13th 2021. In case of conflict between requirements of SOP and Constitution, Constitutional requirements override SOP requirements.

Standard Operating Procedure: Conflict of interest in the following situations

Situation 1: One member concurrently holding multiple positions in MMC.

Situation 2: Family members concurrently holding different positions in MMC which may cause conflict of interest.

Situation 3: Other Specific Situations

Background:

This SOP is formulated in accordance with the directives of the Members in a GBM dated December 30th 2020, and pursuant to the recommendations of the Conflict-of-Interest committee (COIC) formed for this purpose.

It is important that those who work with and for not-for-profit entities (NFPs) conduct themselves in an ethical and transparent manner. The decisions and actions of the leadership of an NFP can have a direct and significant impact on the reputation of the NFP with its supporters and the general public.

1. Definitions:

- a) Matrix -SOPMMC005: Matrix of grouping and list of Positions for conflict of interest: (Various positions as defined in the Constitution, By-laws, SOPs and by common practices are grouped into Group A to Group F in the Matrix.
- b) "Positions in MMC" include all positions, defined/elected/nominated/appointed in all Committees and groups, in all formats including virtual, online and in person, formed under the organization of Maharashtra Mandal – Chicago.
- c) Following are considered to be "Family Members" in this context - Spouse, domestic partner, parent, children and their spouses, siblings, and their spouses.
- d) A "Conflict of Interest" is defined as having a direct/indirect financial interest and/or non-financial interest in a situation which may result in influencing the decision-making or concentration of power in the decision-making of the functions and operation of Mandal and Mandal activities.



2. Purpose and Scope

The purpose of this document is to provide a standard operating procedure (SOP) to be followed regarding the conflict of interest in the following situations,

Situation 1: Single (one) member concurrently holding multiple positions in MMC.

Situation 2: Family members concurrently holding different positions in MMC which may cause conflict of interest as defined in 1 (d).

Situation 3: Other Specific Situations which involve material (financial and non-financial) risk

3. Standard Operating Procedure for Conflict of interest:

3.1. Matrix-SOPMMC005 lists various positions as defined in the Constitution, By-laws, SOPs and by common practices, groups them into six groups from Group A to Group F and assigns the standard operating procedure to be followed for each situation corresponding to each group. Please Refer point 3.6 below for the Matrix.

3.2. **Situation 1.** A single member shall not concurrently hold multiple (more than one) positions in the groups A to F as outlined in Matrix-SOPMMC005 in point 3.6

3.3. **Situation 2.** Members of the same family shall not concurrently hold positions within same group and across Groups A to E. For Group F, Family members may hold positions concurrently within the Group F with disclosures, procedure and guidelines mentioned in point 3.5 outlined in Matrix-SOPMMC005 in point 3.6

3.4. **Situation 3:** For Group D, Member cannot be internal auditor if family member is from EC from previous year and Shala position holders from previous year cannot hold this group position. For Group F, Other positions where the Conflict-of-Interest is deemed not a material risk, proper disclosures by the related parties should be made at the time of application/ election/appointment/nomination of the positions.

3.5. In the event despite the above rules conflict-of-interest issue arises and/or is identified by Board of Directors (BOD), BOT or any member of MMC, following procedure should be followed.

- The issue shall be raised with a member of BOT by email.
- President shall invite a meeting between BOD, BOT, and parties to the conflict to resolve the issue.
- Any person(s) party to the Conflict-of-Interest situation who is in attendance at the meeting shall disclose all facts, material in ascertaining Conflict of Interest.
- The person(s) party to the Conflict-of-Interest shall not vote in the decision-making related to the issues of Conflict-of-Interest.
- The decision in this meeting shall be made by 2/3 majority.



3.6. Matrix-SOPMMC005

3.5 Matrix-SOPMMC005 Matrix for List of positions and groups for conflict of interests

Titles		Situation 1 Single member	Situation 2 Family Members	Situation3 Other
Group A: Board of Directors				
President Vice president (Female) Vice president Treasurer Secretary Board member-1 IT Board member-2 Rachana Board member-3 Senior Board member-4 Community outreach Board member-5 Youth	Single member shall not hold multiple positions	No family members within the same group and across Groups A to E		
Group B: Board of Trustees				
Trustee -1 Trustee -2 Trustee -3 Trustee -4 Trustee -5	Single member shall not hold multiple positions	No family members within the same group and across Groups A to E		
Group C: Finance Committee				
Finance Committee Member-1 Finance Committee Member-2 Finance Committee Member-3	Single member shall not hold multiple positions	No family members within the same group and across Groups A to E		
Group D: Internal Auditors/Tax preparer				
Internal Auditor -1 Internal Auditor -2 External Auditor/Tax preparer	Single member shall not hold multiple positions	No family members within the same group and across Groups A to E	Member cannot be internal auditor if family member is from Executive Committee from previous year. Shala position holders from previous year cannot hold this group position	
Group E: Shaala				
Shala Trustee Shala Coordinator Shala Treasurer	Single member should not hold multiple positions	No family members within the same group and across Groups A to E		



Group F: Other Associated Committees, Programs, and influencers, non-profit organizations			
Special Program committee Convener Co convener Treasurer Secretary Subgroups under MMC Basement theater -Leader Sub/affiliated Organizations BMM representative Influencer positions sponsors Coopted EC members-immediate past president Coopted EC members Coopted EC members Coopted EC members Coopted EC members Election Committee Any nominated/elected/appointed positions	Single member should not hold multiple positions	Family members may hold positions concurrently within the same group with disclosures and procedure and guideline (except Election Committee)	Member cannot be Election Committee member if family member is on Executive Committee in the current year. Member cannot be Election Committee member if family member is an applicant for election.

- This SOP shall be provided to the Election Committees for the elections held in 2021 for appointments for year 2022 onwards.