



PNCWA Volunteer Legal Responsibilities

The Pacific Northwest Clean Water Association (PNCWA) accomplishes its goals and objectives through its membership and their volunteer participation. Whenever participating in a committee or other volunteer activity, members are acting as representatives of PNCWA and have certain legal responsibilities.

Duty to PNCWA

PNCWA Volunteers must discharge their responsibilities in good faith and in accordance with the best interests of PNCWA. Specifically, volunteers have three legal duties to PNCWA: care, loyalty, and obedience.

Duty of Care. The legal duty of care means that PNCWA volunteers must make reasonable decisions considering the circumstances including 1.) guarding against loss or injury to PNCWA, and 2.) a duty to vote and not abstain.

Duty of Loyalty. The legal duty of loyalty means that PNCWA volunteers owe undivided allegiance to PNCWA and must make decisions in the best interests of the Association, never making decisions based on their personal interests or personal gain. Conflicts of interest are inconsistent with this duty and must be disclosed (see *Conflicts of Interest* below).

Duty of Obedience. The legal duty of obedience means that PNCWA volunteers must make decisions with PNCWA's Mission in mind and may not act in a way that is inconsistent with the goals of PNCWA.

Conflicts of Interest

In taking an active role in volunteer activities, it is foreseeable that conflicts of interest may arise. All actual and potential conflicts of interest should be disclosed in writing, with a copy sent to the President. It is the President's responsibility to ensure that all such conflicts are resolved in a fashion that is in the best interest of PNCWA. Generally a volunteer may not participate in the final discussion or vote on a matter in which she/he has a conflict of interest. The fact that a conflict was disclosed and the volunteer recused her/himself from participating in the final discussion and vote should be recorded in the minutes.

Indemnification

In the event a lawsuit is filed against a PNCWA volunteer, Article 11 of PNCWA's Constitution and Article 13 of PNCWA's Bylaws provides for indemnification. Note, however, that intentional acts or acts committed in bad faith are specifically excluded from coverage. PNCWA carries liability insurance for its indemnification obligation.