

Policy: Antitrust Laws Compliance Policy
Company: ArcBest
Review Date: January 1, 2017

It is the policy of the Company that its operations be conducted in full compliance with all state and federal antitrust laws. The general goal behind antitrust laws is to keep markets open and competitive by regulating anti-competitive conduct by companies. Among other things, the anti-trust laws prohibit business competitors from fixing prices and making other agreements or arrangements in restraint of trade. These laws give businesses an equal opportunity to compete for market share. Antitrust laws are among the most important laws affecting business in this country, and Company personnel must have a basic understanding of them.

The applicability of the antitrust laws in some situations may be clear and unmistakable, while in other situations applicability may be uncertain. In each case, however, employees are obliged to observe the laws in the day-to-day conduct of their affairs, whether they have had legal training or not. Accordingly, the advice of counsel should be sought in every case where there is any possibility of misunderstanding or cause for doubt.

Primary responsibility for compliance with this policy rests with each individual. If any employee recognizes an apparent antitrust problem, he or she should discuss the matter promptly with his or her immediate supervisor and express his or her concern. Furthermore, it is the responsibility of each supervisor to ensure that the operations of his or her department are conducted in accordance with this policy. The failure to bring up appropriate matters for review may constitute a serious breach of duty.

A violation of this policy, including engaging in prohibited conduct, may be the basis for disciplinary action up to and including discharge, whether or not any liability to a government agency or a third party incurred.