



University of New Haven

Human Resources Policy / Procedure

Policy / Procedure Title	Applicability	Purpose	Effective Date	Responsible Party	Pages
Conflict of Interest Policy & Procedure	All Employees	Provide employees with guidelines regarding potential conflict of interest to avoid University reputational risk	12/15/21	Associate VP Human Resources & Organizational Development	5

Purpose

When acting on behalf of the University of New Haven (the “University”), employees must put the University’s interests ahead of their own personal gain. This means employees should not allow their own interest or their family’s or any other relationship to influence the decisions made on behalf of the University. Conflicts of interest can threaten the University’s reputation and expose it to risk. All employees must avoid conflicts of interest, resolve them promptly if they arise and strive to avoid the appearance of such conflicts. The purpose of this policy is to help employees avoid and resolve conflicts of interest.

Scope

This policy applies to all employees. Some of the information is specific to faculty and has been designated as such in this document. Other information is specific to non-faculty members.

Definition

A potential conflict of interest exists whenever an employee or any member of his/her family has a financial interest in, or any connection with, an enterprise that does business with the University if the employee is in a position, either directly or indirectly, to make or influence decisions concerning the transaction with such outside enterprise,. Other potential conflicts may arise by an employee taking on additional employment outside of the university.

Policy Statement

This policy outlines potential conflicts of interest as they relate to employees engaging in employment, investment, or other activities outside of the University. It is the University policy to respect the rights of its employees to invest in private enterprise and to engage in outside activities of a private nature with the understanding that, in all facets of their relationship with the University, employees are expected to

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act in the best interest of the University, to the exclusion of considerations of personal preference and private gain.

All employees must avoid activities or relationships that conflict with the University's interests or adversely affect the University's reputation.

Prohibited Activities:

The types of activities and relationships employees must avoid include, but are not limited to:

- Accepting or soliciting a gift, favor, or service that is intended to, or might appear to, influence the employee's decision-making or professional conduct;
- Accepting, agreeing to accept, or soliciting money or other tangible or intangible benefit in exchange for the employee's favorable decisions or actions in the performance of his or her job;
- Accepting employment or compensation or engaging in any business or professional activity that might require disclosure of university confidential information;
- Accepting employment and conducting work for another organization during University scheduled time;
- Accepting employment or compensation that could reasonably be expected to impair the individual's independent judgment in the performance of official duties; and
- Making personal investments that are contrary to the University's interests.
- Providing advice, counsel or services to another educational institution that would undermine or compromise the University's ability to attract, recruit and retain students, faculty and administrative staff.

Employees must disclose actual or potential conflicts to their supervisor as soon as they become aware of them. Failure to make required disclosures or resolve conflicts of interest satisfactorily can result in discipline, up to and including termination of employment.

Specific Provisions which apply to Faculty Conflict of Interest and Commitment:

With the acceptance of a full-time appointment at the University, an individual makes a commitment to the University that is understood to be full-time in the most inclusive sense. Every faculty member is expected to accord the University their primary professional loyalty, and to arrange outside obligations, financial interests and activities so as not to conflict with the overriding commitment to the University.

Conflicts of Interest and Their Impact:

The term "conflict of interest" in this policy refers to situations in which financial or other personal considerations may compromise, or give the appearance of compromising, an employee's professional time, energy, or judgment in administration, management, instruction, research and other professional activities. The bias such conflicts could conceivably impart may inappropriately affect the goals of research, instructional, or administrative programs. The education of students, the methods, analysis and interpretation of research data, and the hiring of staff, procurement of materials, and other administrative tasks at the University must be free of the undue influence of outside interests.

The mere appearance of a conflict may be almost as serious and is potentially as damaging as an actual distortion of instructional, research, or administrative goals, processes, or outcomes. Reports of conflicts based on appearances can undermine public trust in ways that may not be adequately restored even when the mitigating facts of a situation are brought to light. Apparent conflicts, therefore, should be evaluated and managed with the same vigor as actual conflicts.

Conflicts of interest have the potential to undermine or compromise directly or indirectly many activities and aspects of the academic endeavor, particularly when employees are in a position to set University policies, manage contracts, select equipment and supplies, involve students in sponsored projects, or when employees have other administrative roles in which objectivity and integrity are paramount. Faculty members who are unsure as to whether their current or future actions may pose a conflict of interest should consult with their department chair and dean. The dean will notify the provost.

Teaching, Consulting and Other Activities:

Full-time members of the University's faculty are expected to engage in a variety of professional, cultural, governmental, and humanitarian activities external to the institution. Such activities are intended to enhance the faculty member's contributions to the education process and not to interfere with the faculty member's primary obligations and assignments within the University. Such activities can consume no more than the equivalent of one day per work week during the faculty member's teaching year. Teaching at other colleges or universities may be permitted provided that there is full disclosure to the University; a determination by the dean in consultation with the department chair that the teaching load is not excessive; and no harm is foreseen to the University's enrollments, educational quality, or fiscal stability. Unauthorized teaching in programs which compete directly with University programs is viewed as a conflict of interest.

Consulting and similar business activities, including any active role in a for-profit corporation, is a legitimate faculty activity only if it does not consume more than the equivalent of one day per work week during the faculty member's teaching year, or diminish the teaching, advising, and governance roles of the faculty member. Any substantial outside commitment which conflicts with faculty responsibilities obligates the faculty member to discuss the situation with the dean and to accept, if necessary, something less than a full-time relationship with the University. As a basic principle, the University expects that a faculty member's primary commitment is to the University, its students, academic programs, governance system, committee structure, and research activities.

If a faculty member has consulting or similar business activity, or plans to assume significant ownership or managerial responsibilities in an enterprise established for the purpose of commercializing the results of his or her professional endeavors, then he or she is required to disclose to the dean and if necessary to the provost and president the extent of the proposed involvement. Such disclosure will be reviewed for conformance with University policy.

This policy permits University faculty members to undertake outside activities in one or more of the classifications of activities described not to exceed a collective average of the equivalent of one day per week concurrent with the faculty member's teaching assignments. These activities should increase their effectiveness and broaden their experience in relation to their functions at the University, or should be of service to the community, private sector, nation, or world provided:

- a. The cumulative total of outside professional activities and overload activities does not substantially interfere with the performance of the faculty member's University duties.
- b. The outside activities do not involve use of University property, facilities, equipment, or services, except in limited circumstances when approved by the faculty member's department chair and dean.

- c. The faculty member makes it clear to the outside employer (agency, board, jury, or audience) that he or she is acting in an individual capacity and does not speak, write, or act in the name of the University or directly represent it.
- d. The faculty member does not list his or her University telephone number in commercial listings or other public documents, the purpose of which is to draw attention to the individual's availability for compensatory service. Further, use of the University name, logo, and stationery is prohibited.
- e. The outside employment is consistent with policies of the faculty member's college, school, or division.
- f. The faculty member will inform his or her department chair of such activity at the beginning of each semester and will verify for the chair that the activities comply with university policy.
- g. During the other days of the week, faculty members are expected to be fully engaged in the work of the University, including such items as are enumerated in Section 2.4.2 of the Faculty Handbook.

If the dean, provost, and president determine that a faculty member's involvement with an enterprise entails or is likely to entail a significant conflict of commitment, then he or she may request and receive a one-year term half-time appointment with appropriate reduction in obligations to and from the University. Alternatively, the individual may request and receive if approved by the president leave without pay for one year.

At the end of the one-year term, the individual may return to full-time status if the obligations to the private enterprise are discharged or acceptably reduced. Otherwise, the individual will be expected to relinquish full-time status and tenure if applicable. Notice of the faculty member's intent to return to full-time status must be received by the dean no later than April 15 for a potential return to full-time status as of the following fall academic term.

Once tenure is relinquished, the individual may accept an offer of adjunct status; however, reappointment to full-time status requires application and approval through the University's ordinary faculty appointment procedures.

Special Conflict of Interest Situations

A special kind of problem may arise when an individual has a consulting agreement or other substantial personal interest in an organization which either manufactures equipment or provides services that are purchased for use by the University.

Responsibility for the propriety of arrangements in which multiple and possibly conflicting interests exist rests in the first instance with the individual. For the protection of all concerned in which the appearance of a conflict of interest exists, members of the faculty are expected to provide full information to, and obtain the approval of, the appropriate dean and the president and provost for any arrangement in which a conflict of interest is implicit has the or potential to exist.

Specific Provisions That Apply To All Other Employees Regarding Conflict of Interest and Commitment

Special problems may arise when an individual has a consulting agreement, ownership interest, or other substantial personal interest in an organization that either manufactures supplies or equipment or provides services of a kind purchased or utilized by the University. In addition, problems may arise from accepting employment at another place of employment while employed by the University.

Responsibility for the propriety of arrangements in which multiple and possibly conflicting interests exist rests initially with the individual who should recognize that such relationship must not be in conflict with the general interests, policies, and mission of the University; that his or her activities within the University must not be biased by the relationship; and that the relationship must not adversely affect his or her contribution to the University. Any member of the professional staff with such an interest must provide full information to, and obtain the approval of, the University Officer responsible for his or her school or department for any arrangement in which a conflict of interest is implicit or explicit. In particular, no arrangement involving purchase of goods or services by a department of the University from an organization in which a member of the department has such an interest may be entered into without the approval of the supervisor of the individual having the potential conflict of interest and the approval of the Officer responsible for that school or department after full disclosure of the interest.

Acceptance of money, gifts, or favors from any individual or business which an employee has reason to believe may transact business, or seek to transact business, with the University may create a conflict of interest unless such gift or favor involves no more than an ordinary social amenity. Offers of gifts or favors of more than nominal value should be reported to the individual's supervisor and returned with a letter explaining that acceptance is contrary to University policy.

In regard to additional employment, employees must ensure that their employment does not conflict with the University's interests and that any work performed for another employer is not performed while on paid University time or with University assets.

Reporting a Conflict of Interest:

If you believe you may have any relationships, commitments, activities, or positions that could be a conflict of interest or contribute to a conflict of interest, then you must complete the **Conflict of Interest Disclosure Form** located in the Forms section of the HR intranet page. This form must be submitted to your Supervisor and/or Department Leader as well as to the Human Resources Department for review and approval. Failure to comply with this requirement may result in corrective action, up to and including termination of employment.