

# MISSOURI SOUTHERN STATE UNIVERSITY POLICY

Policy #:		Effective:	July 2017*	Category:	
Name:	<b>CODE OF CONDUCT - ETHICS, CONFLICTS OF INTEREST, &amp; OUTSIDE EMPLOYMENT</b>				

## 1.0 PURPOSE

The purpose of the policy is to provide guidance to University employees regarding the policy below in order to comply with the standards set forth by the University. This policy is necessary in order to maintain an effective and compliant workforce that meets the University mission.

## 2.0 SCOPE

University Employee Policy

## 3.0 POLICY

### ETHICS/CODE OF CONDUCT

#### **“Doing What’s Right”**

We create a stronger and better University when we come together with one ethical culture and one set of standards. We are responsible for our own actions, and we are responsible to each other. Ethical decision making is about choices. But ethical choices are not always obvious. When faced with a choice like this, it might be helpful to ask and answer the following questions:

Is the health or safety of anyone endangered by my action or inaction?

Will my action or inaction violate any Federal, State, or local law, rule, or regulation or University policy or procedure?

Will I feel proud if the full details of my action or inaction were disclosed to my fellow employees, friends, family, students and/or the public?

Would the most ethical person I know do it?

How would I feel if I were on the receiving end of this decision?

Finally, this Statement is not intended to be comprehensive and may be modified in the future. The absence of a specific guideline or instruction covering a particular situation does not relieve an individual of the responsibility to apply the highest ethical standards when reacting to that situation. Actions in accordance with these standards will be upheld by the University. Parts of this statement are taken from Cornell University’s guidelines (permission granted unrestricted access web version only).”

All employees have an obligation to conduct business within legal and ethical guidelines that prohibit actual, potential or perceived conflicts of interest between the employee and the University. A conflict of interest exists when an employee is in a position to influence a decision that might result in personal, financial or political gain for the employee, a relative or friend.

Employees of public institutions of higher education are subject to the laws of the State of Missouri (RsMO, Chapter 105, Section 105.40-105.498) and the Conflict of Interest Policy as set forth by the Coordinating Board of Higher Education. Complaints concerning conflict of interest shall be presented in writing to the Director of Human Resources, who shall investigate the complaint and attempt to bring about a resolution to the matter. Any disciplinary requirements will follow the appropriate disciplinary procedures outlined for that employee's position. An appeal process is also available to the employee under the corresponding policy for such appeals based on the employee's position.

### **CONFLICTS OF INTEREST**

All University employees are expected to meet the specific responsibilities, requirements and obligations of their positions and pursue related professional activities in a manner that avoids any conflicts of interest between the employee and the University. A conflict of interest is defined as any situation in which an employee's judgment or conduct in the performance of his or her duties for the University, could be influenced or would give the appearance of being influenced by the employee's personal interests (whether financial, political, or otherwise), or the interests of others closely associated with or related to that employee.

Because of the variety of possible combinations and complexities, it is not feasible to describe all potentially conflicting situations. Therefore, the following non-exhaustive list contains examples of situations that may constitute conflicts of interest and require disclosure in accordance with the Reporting Requirements section of this policy:

- a. Selection of an entity as a University vendor by an employee who has a personal or economic interest in that entity or is related to someone with a personal or economic interest in that entity.
- b. Use of the University name, logo, trademarks, or service marks intended to endorse or promote individual entities not affiliated with the University or to otherwise enhance private gain.
- c. Exploitation or solicitation of students for private gain.
- d. Acceptance of other employment or compensation that could reasonably be expected to impair the employee's independence of judgment in the performance of his or her duties at the University.
- e. Intentionally or knowingly solicit, accept or agree to accept any benefit for having performed the employee's duties in favor of another.
- f. Required use of books, supplies, equipment, or other instructional resources at the University when they are created or published by the employee or by an entity in which the employee has a financial interest or by someone who is related to that employee, unless prior written approval from the University is obtained.

These reporting requirements are in addition to and do not relieve an employee from the responsibility for making disclosures required by chapter 105 of the Missouri statutes pertaining to conflict of interest.

It is the obligation of all University employees, regardless of position or length of employment, to disclose any conflicts of interest or outside activities. Whenever a question, or appearance of conflict, could arise, or an employee is considering the possibility of pursuing an outside activity, the employee is expected to report the situation to his or her supervising Vice-President as well as the Director of Human Resources. An employee must disclose all relevant facts related to activities that might involve a conflict of interest or constitute an outside activity. The University reserves the right to determine when an

employee's activities represent a conflict of interest or a prohibited outside activity and take whatever action is necessary to resolve the situation. The University expects that employees will not engage in any activities that may constitute a conflict of interest without obtaining prior written approval from the University. Approval may be granted, withheld, or withdrawn at any time in the sole discretion of the University. If an employee has any question whether an action or proposed course of conduct would create a conflict of interest or a prohibited outside activity, that employee should contact his or her supervising Vice-President as well as the Director of Human Resources to obtain the University's position on the issue.

The University requires disclosure of conflicts of interest and outside activities annually and whenever a conflict of interest or an outside activity arises or changes within 48 hours. Employees in violation of this policy is subject to disciplinary action, up to and including termination of employment.

In addition, any employee knowingly violating the conflict of interest law also shall be subject to punishment as prescribed by section 105.478, RSMo. Any disciplinary requirements will follow the appropriate disciplinary procedures outlined for that employee's position. An appeal process is also available to the employee under the corresponding policy for such appeals based on the employee's position.

If an employee has any question whether an action or proposed course of conduct would create a conflict of interest, he or she should contact his or her supervisor or the Human Resources Director to obtain advice on the issue.

### **OUTSIDE EMPLOYMENT/ACTIVITIES**

The primary responsibility of employees is the accomplishment of the duties and responsibilities assigned to their positions at the University. All employees must conduct themselves and all activities in a manner that does not conflict with, or distract from, their jobs or the mission, goals, policies, or reputation of the University. University employees have a fundamental obligation to act in the best interests of the University and not let outside activities or outside interests interfere with that obligation.

Certain kinds of personal activities, even if not otherwise viewed as a direct conflict of interest, may interfere with devotion of time and attention to job performance, or may become disruptive or reflect on the University, or may create the appearance that the employee is using his or her position to exert undue influence on students or others. While it is impractical to anticipate all such outside activities, the following non-inclusive list contains some examples of situations that constitute activities and require disclosure in accordance with the Reporting Requirements section of this policy:

Operation of a personal or "sideline" business, or working a second or "moonlighting" job if activities related to the other employment or personal business disrupt or adversely impact the performance of responsibilities owed to the University.

Charitable or volunteer work, or other activities unrelated to the University, which involve a commitment of time that disrupts or adversely impacts the performance of responsibilities owed to the University.

Solicitation of students, employees, or patrons of the University, on campus or during or in connection with University activities.

Using University resources or contact information, for the purpose of attempting to sell, buy, or trade products or services to others for personal gain or to benefit persons or organizations other than the University.

If a University employee (“Employee A”) directly or indirectly supervises or evaluates, as part of his or her job duties, another employee at the University (“Employee B”) or student, Employee A should refrain from directly or indirectly supervising Employee B or student in any activities unrelated to the University.

Use of personnel, facilities, assets, equipment or supplies of the University with any outside non-University sponsored activities for personal gain or to benefit persons or organizations other than the University, unless prior written approval from the University is obtained. For example, use of personnel, facilities, assets, equipment or supplies of the University to conduct political campaigns or to promote or oppose specific candidates or political issues for personal gain or to benefit persons or organizations other than the University is specifically prohibited.

The University expects that employees will not engage in any of these outside activities, or in any other personal activity which, in the opinion of the University on a case-by-case basis, may disrupt or negatively impact job performance or the University, without obtaining prior written approval from the University. Approval may be granted, withheld, or withdrawn at any time in the sole discretion of the University. Disciplinary action may be taken for violation of this policy, up to termination of employment.

#### **4.0 HISTORY**

This policy may be revised, edited, changed or removed at any time with or without notice to applicable individuals.

#### **5.0 RELATED DOCUMENTS**