Conflicts of Interest, Conflicts of Commitment and Outside Activities Policy

Adopted by President’s Cabinet 6/26/18
Revisions Adopted by President’s Cabinet 8/28/18
Revisions Adopted by President’s Cabinet 7/30/19

Conflicts of Interest and Apparent of Conflicts of Interest

Each East Georgia State College employee should make every reasonable effort to avoid actual or apparent conflicts of interest. An apparent conflict exists when a reasonable person would conclude from the circumstances that the employee’s ability to protect the public interest, or perform public duties, is compromised by a personal, financial or business interest. An apparent conflict can exist even in the absence of a legal conflict of interest. EGSC employees are referred to the State Conflict of Interest Statutes OCGA 45-10-20 through 45-10-70, the EGSC Gifts and Gratuities Policy and the EGSC Political Activities on Campus Policy.

Each employee has an ongoing responsibility to report and fully disclose any personal, professional, or financial interests, relationships, or activities that have the potential to create an actual or apparent conflict of interest with respect to the employee’s EGSC duties.

Conflicts of Interest – Research and Institutional

Proposed collaborations and funding agreements such as grant, gift, contract or funding from the private sector or third parties must be reviewed through the EGSC grant vetting process for potential conflict of interest. Because all circumstances and conditions of the arrangement may not be known initially, all proposed collaborations and funding agreements must be vetted using the Initial Grant Vetting and Review Form and reviewed again with the submission of the Grant Proposal Internal Review Form for Final Approval located in MYEGSC forms. Proposed relationships and agreements must not undermine the public’s trust, compromise the integrity of the USG or EGSC mission, or inappropriately influence teaching, research and service activities. Final approval at each stage requires the proposal reviews and signatures of the Dean, the Vice President for Business Affairs, the Vice President for Academic and Student Affairs and the President.

Conflicts of Commitment

An EGSC employee shall not engage in any occupation, pursuit or endeavor that will interfere with the regular and punctual discharge of that employee’s official duties.

Outside Activities: Approval Process

All employees are encouraged to participate in professional activities; however, those activities must be consistent with the mission of EGSC and the USG. Outside activities include occupational, consulting, teaching, speaking and other outside second employment. Political activities, including managing campaigns and holding elective or appointed office, are covered under the EGSC Political Activities on Campus Policy. However, employees must request and receive prior permission from the President to engage in campaign management and the holding of elective or appointed political office using the EGSC Permission for Outside Activity form.

Prior approval of outside activities is required for the following:

- Employee with a work commitment of 30 or more hours per week;
- Faculty members on contracts of nine months or more;
- Direct reports to the President and those with title of Vice President or equivalent; and
• Employees with a work commitment of less than 30 hours per week and faculty on contract term of less than nine months IF the outside activity creates a conflict of interest.

Each employee must obtain written approval from the President prior to engaging in any occupation, pursuit or endeavor that could interfere with the employee’s regular and punctual discharge of the employee’s official duties as an EGSC employee.

Prior to requesting permission from the President, the employee and his or her supervisor will review and assess actual conflicts of interests and appearance of conflicts of interest concerning the proposed outside activity and, if necessary, present a plan for managing such conflicts. If the proposed outside activity is to occur simultaneously with faculty and staff work hours and/or institutional resources are proposed to be used for such work, faculty and staff must present a plan for submission and approval of annual leave requests and reimbursing the institution for use of the institution’s personnel, facilities, equipment and/or materials consistent with rates charged to outside groups or persons.

**Permission forms for Vice Presidents and Direct Report to President:**

https://www.usg.edu/assets/organizational_effectiveness/documents/Direct_Reports.pdf

**Permission forms for all other employees:**

http://www.ega.edu/policy/08-permission-for-outside-activity-form.pdf

The *Permission for Outside Activity* form (see link above) must be completed, signed by the employee, the employee’s immediate supervisor and submitted to the President for approval. The employee must clearly indicate the nature, scope and duration of the outside activity.

**Required Leave and Honoraria**

Except as authorized for eligible faculty employees, annual leave must be used by employees for compensated outside activities during normal work hours consistent with the USG procedures governing use of annual leave. Faculty seeking approval must indicate the time they plan to consult during regular work hours, if any. For nine-month faculty, the maximum is one day per week. Twelve-month faculty assigned to administrative positions must take annual leave when engaged in consulting during their normal work hours consistent with the USG procedures governing use of annual leave.

Honoraria is defined as any payments given for professional or voluntary services that are rendered nominally or without charge, and any payments in recognition of these services typically forbids a price to be set. Non-faculty employees may not receive Honoraria for activities during the employee’s work hours.

**Consulting for USG Vendors**

Employees are generally prohibited from consulting with or otherwise receiving compensation from a current vendor of, or an entity seeking a vendor relationship with, EGSC. Exceptions to this provision may be granted by the President for employees that do not supervise, regularly interact with, or participate in the selection of vendors of EGSC. This prohibition applies only to those employees supervising or participating in vendor selection and/or providing oversight of vendor performance and to vendors/prospective vendors of EGSC. This prohibition does not apply to vendor or service relationships between USG and other government entities.
**Faculty Consulting Guidelines**

Recognizing that teaching, research and public service are the primary responsibilities of faculty members, it is reasonable and desirable for faculty members to engage in additional activity beyond duties assigned by the institution which are professional in nature and based on the appropriate discipline for which the individual receives additional compensation during the contract year. Faculty contemplating outside activities must seek approval using the process described above and the *Permission for Outside Activity* form. The below definitions are provided as guidance.

**Definitions**

**Compensation** is any payment, deferred payment, equity or deferred equity provided in exchange for the expectation that the faculty member will perform work or services for the benefit of the outside payer. Compensation does not include standard Honoraria.

**Faculty Primary Responsibilities** are teaching, research, clinical practice, service, administrative duties and other appropriate duties assigned by the institution to the faculty member.

**Faculty Secondary Responsibilities** are professional activities or affiliations traditionally undertaken by faculty outside of the immediate institution employment context but where the faculty member represents the institution and his or her affiliation to it. Secondary responsibilities may or may not entail the receipt of Honoraria, remuneration or the reimbursement of expenses.

**Outside Consulting** is any activity for Compensation other than Primary Responsibilities or Secondary Responsibilities that a faculty member may engage in that, (1) is based upon professional knowledge, experience, and abilities of the faculty member that relate to the faculty members expertise or responsibilities as a USG faculty member, and (2) performed for any business, self-employment, or public or private entity other than his or her institution.

**Faculty** is defined by Board of Regents Policy 3.2 as the corps of instruction and administrative officers and includes full time research and extension personnel and duly certified librarians with comparable training.

**Annual Disclosure**

In June of each year, the President’s Office will send to all employees a reminder of their responsibility to annually disclose outside activities on the required form no later than the first day of fall semester. Employees are obligated to disclose and seek prior approval for activities covered under this policy that arise during the year. All Permission for Outside Activity Forms submitted will be retained in the President’s Office and Human Resources.

**Violations**

Violations of this policy may result in disciplinary action up to and including termination of employment.