



Conflict of Interest and Work Outside the University Policy 1.30

Office of Human Resources

Applies to: Staff

POLICY

Issued: 10/01/1973
Revised: 10/15/2001
Edited: 08/15/2008

University staff members are expected to devote their work activities primarily to functions of the University. They may, however, engage in extramural activities provided that such activities do not detract from the performance of their duties and responsibilities to the University and/or create conflict of interest with their assigned University responsibilities. Extramural activities means any work not performed as a University employee, whether or not compensated. It is expected that such extramural activities will take place outside of the staff member's designated work time. Authorization may be granted to staff members who want to perform work outside of the University during their designated work time. Any such time will be charged to accrued vacation and/or leave without pay.

Staff shall not engage in any activities or outside employment that may result in a conflict of interest. A conflict of interest exists if financial interests or other opportunities for personal benefit may exert a substantial and improper influence upon an employee's professional judgment in exercising any University duty or responsibility. Staff shall not use their positions to secure anything of value, financial gain, or personal benefit that would not ordinarily accrue to them in the performance of their official duties. Nor shall they accept any compensation from any other agency or individual for work performed in the course of their employment by the University, except under the limited circumstances permitted in a formal conflict of interest management agreement.

POLICY GUIDELINES

I. Definitions

Conflict of interest - situation where financial interests or other opportunities for personal benefit may exert a substantial or improper influence upon an employee's professional judgment in exercising a University duty or responsibility.

Designated work time - hours of day agreed upon by supervisor of when an employee will perform work for the University.

Extramural activities - any work not performed as a University employee, whether or not compensated.

Externally compensated activities - any work not performed as a University employee for which compensation is received.

Intellectual property - inventions, works of authorship, patents, copyrights, licenses, etc., relating to sponsored programs or other research activities.

II. Conflict of Interest and Work Outside the University

A. State ethics law

All staff members of state-assisted universities are covered by Chapters [102](#) (*Ethics*) and [2921](#) (*Offenses Against Justice and Public Administration*) of the [Ohio Revised Code](#). In accordance with the law, copies of Chapters 102 and 2921 will be provided to each new faculty or staff member of The Ohio State University.



Conflict of Interest and Work Outside the University Policy 1.30

Office of Human Resources

Applies to: Staff

B. Extramural activities

Staff engaging in extramural activities must avoid the use of information or procedures that may involve a conflict of interest with assigned University responsibilities, particularly as related to an area of ongoing research, including sponsored programs with specific contractual restrictions. Failure to adequately perform University responsibilities due to involvement in extramural activities is considered a neglect of duty and may result in termination, regardless of whether the activity is approved.

C. Prior approval

Requests to engage in extramural activities during designated work time must have the prior approval of the appropriate college/departamental official. Extramural activities conducted either during or outside of designated work time which present a potential conflict of interest must be reported using the [Staff Extramural Activity Reporting Form](#).

III. Use of University Resources

A. Use of University name

Staff members engaging in extramural activities shall not use the name of The Ohio State University, its units, or any other University trademark, service mark, or trade name in such a manner as to suggest institutional endorsement or support of a non-University enterprise, product, or service. Neither business cards bearing the University name, address, and campus telephone numbers nor University stationery is to be used in such a manner as to suggest institutional endorsement or support of a non-University enterprise, product, or service.

B. Use of University staff

Staff members engaging in extramural activities shall not utilize other University employees during designated work time, unless authorized by a formal conflict of interest management agreement (refer to [Guidelines Governing Faculty and Staff Participation in Companies Commercializing Their University Research](#)).

C. Use of facilities

University space, supplies, computer resources, and equipment cannot be used for extramural activities unless permission is obtained and appropriate fees paid to the University for the use of such facilities (refer to [Board of Trustees University Rule 3335-13-03](#) and [University Registrar](#)).

D. Use of University intellectual property

University intellectual property shall not be used for extramural activities except as approved by the University and/or as outlined in the [Guidelines Governing Faculty and Staff Participation in Companies Commercializing Their University Research](#) and the [Policy on Patents and Copyrights](#).



Conflict of Interest and Work Outside the University Policy 1.30

Office of Human Resources

Applies to: Staff

PROCEDURE

Issued: 10/01/1973

Revised: 10/15/2001

Edited: 08/15/2008

I. **Compensated Extramural Activities**

Staff members must use accrued vacation and/or leave without pay for externally compensated activities occurring during designated work time. The following are examples of compensated services:

- Providing services to a corporation, business, or industry as an individual officer, director, owner, agent, consultant, or staff member.
- Providing services to a school system, educational institution, or governmental agency as a scheduled lecturer, consultant, or staff member.
- Providing services to a private foundation or professional or trade association as a consultant, officer, director, or staff member.
- Providing services as a voluntary expert witness in any civil or criminal case.
- Providing private lessons in art or music.
- Providing services as an editor or reviewer for professional journals.
- Providing services to symphonies, choruses, and theatrical activities.

II. **Non-Compensated Extramural Activities**

Staff members who participate in non-compensated extramural activities during designated work time should use accrued vacation and/or leave without pay.

Approved activities that serve to enhance the University and for which no compensation is involved, such as serving on accreditation teams and University-sponsored volunteer work, (excluding travel and meal allowances) will not be subject to this provision. Prior approval must be obtained from the staff member's supervisor to participate in such activity during work time.

III. **Commercialization of Work Performed in the University**

State law and the University Policy on Patents and Copyrights govern the intellectual property rights of employees. Staff who wish to participate in the commercialization of their University work must adhere to the specific standards and requirements as stated in the University's [Policy on Patents and Copyrights](#) and the [University Guidelines Governing Faculty and Staff Participation in Companies Commercializing Their University Research](#).

IV. **Reporting Procedures**

Staff members who wish to pursue extramural activities must complete the [Staff Extramural Activity Reporting Form](#) if the activity presents a potential conflict of interest. A potential conflict of interest may occur if financial interests, or opportunities for personal benefit, may exert a substantial or improper influence upon an employee's professional responsibilities as a result of this activity.



Conflict of Interest and Work Outside the University Policy 1.30

Office of Human Resources

Applies to: Staff

The form must be presented to the staff member's department chair, director or designee for approval prior to engaging in the activity. For assistance in identifying and managing potential conflicts of interest, contact the Office of Human Resources, [Organization and Human Resource Consulting \(OHRC\)](#), or the Office of [Legal Affairs](#).

Reporting forms shall be reviewed and updated annually by the staff member and his or her department chair, director, or designee.

RESOURCES

For consultation:

- Office of Human Resources, [Organization and Human Resource Consulting \(OHRC\)](#) (614) 292-2800, ohrc@hr.osu.edu
- Office of [Legal Affairs](#) 614-292-0611
- Office of Research, [Technology Licensing & Commercialization](#), 614-292-1315, techlicensing@osu.edu

For forms:

- Staff Extramural Activity Report form hr.osu.edu/forms/staffextact.pdf

For more information:

- Ohio Revised Code hcodes.ohio.gov/orc/1
- Board of Trustees University Rule 3335-13-03 trustees.osu.edu/rules13/ru13-01-03.php
- University's Guidelines Governing Faculty and Staff Participation in Companies Commercializing Their University Research trustees.osu.edu/rules13/ru13-06-07.php
- University Policy on Patents and Copyrights research.osu.edu/resources/policies/patents.cfm
- University Registrar ureg.ohio-state.edu
- University rules governing faculty and staff participation in companies commercializing university research trustees.osu.edu/rules13/ru13-06-07.php