

Applies to: Staff, applicants

Responsible Office

Human Resources

POLICY STATEMENT

College staff members are expected to devote their work activities primarily to functions of the college. They may, however, engage in external work if such activities do not detract from the performance of their duties and responsibilities to the college and/or create conflict of interest with their assigned college responsibilities. It is expected that such external work will take place outside of the staff member's designated work time. Authorization may be granted to staff members who want to perform external work outside of the college during their designated work time. Any such time will be charged to accrued vacation and/or leave without pay. Staff members who wish to engage in external work that may be a conflict of interest must obtain authorization prior to starting the activity.

Staff shall not engage in any activities or external work that may result in a conflict of interest unless prior authorization has been obtained. 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 college, except under the limited circumstances permitted in a formal conflict of interest management agreement.

Purpose of the Policy

To state the college's expectations concerning outside work and conflicts of interest in compliance with Ohio Revised Code chapters 102.01 and 2921.01.

Definitions

Term	Definition
Conflict of interest	A 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 college duty or responsibility.
Designated work-time	Hours of day agreed upon by supervisor of when an employee will perform work for the college.
External work	Any work not performed as a college employee, whether or not compensated that poses a potential conflict of interest. External work must be of such a nature and conducted in such a manner as will not bring discredit to the college and must not compromise any intellectual property owned by the college.
Externally compensated activities	Any work not performed as a college employee for which compensation is received.
Intellectual property	Inventions, works of authorship, patents, copyrights, licenses, etc.

Policy Details

- I. Conflict of interest and work outside the college
 - A. State ethics law

All staff members of state-assisted colleges 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 Central Ohio Technical College.
 - B. External Work

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

C. Duty to disclose and prior approval

1. Staff must disclose in advance all external work and financial interests that create or have the appearance of creating a conflict of interest to the appropriate supervisor. The supervisor will review and determine if any conflict of interest exists and what conditions or restrictions, if any, should be identified to manage, reduce, or eliminate the conflict.
2. Staff disclosures shall be sufficiently detailed and timely as to allow accurate and objective evaluation prior to making commitments or initiating work that creates a conflict of interest. The information must accurately represent the issues, and be truthful, clear, and complete. Each member of the college community has an obligation to cooperate fully in the review of the pertinent facts and circumstances.
3. Staff requests to engage in external work during designated work time must be pre-approved by the appropriate supervisor. External work must be reported using the Staff External Work Report form. If the conflict cannot be managed, reduced or eliminated, the employee will need to decide whether to remain a college employee or to decline the external work.
4. Job applicants must disclose potential conflicts of interest and make acceptable arrangements with the employing department. These arrangements must be included in the letter of offer. The inability to reach an acceptable arrangement regarding a conflict of interest will result in termination or non-selection.

D. Accountability

1. Violations of this policy include failure to report potential conflicts or to abide by an alternative arrangement plan. The college has the right to issue corrective action consistent with college policies, practices, and state law. Severity of the corrective action depends on the extent of the policy violations.

E. Use of college resources

1. Use of college name

Staff members engaging in external work shall not use the name of Central Ohio Technical College, its departments, or any other college trademark, service mark, or trade name in such a manner as to suggest institutional endorsement or support of a non-college enterprise, product, or service. Neither business cards bearing the college name, address and campus telephone numbers nor college stationery is to be used in such a manner as to suggest institutional endorsement or support of a non-college enterprise, product, or service.

2. Use of college staff

Staff members engaging in external work shall not utilize other college employees during designated work time, unless authorized by a formal conflict of interest management agreement.

3. Use of facilities

College space, supplies, computer resources, and equipment cannot be used for external work unless permission is obtained and appropriate fees paid to the college for the use of such facilities.

4. Use of college intellectual property

College intellectual property shall not be used for external work except as approved by the college.

F. Compensated external work

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

- a. Providing services to a corporation, business, or industry as an individual officer, director, owner, agent, consultant, or staff member;
- b. Providing services to a school system, educational institution, or governmental agency as a scheduled lecturer, consultant, or staff member;

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- c. Providing services to a private foundation or professional or trade association as a consultant, officer, director, or staff member;
 - d. Providing services as a voluntary expert witness in any civil or criminal case;
 - e. Providing private lessons in art or music;
 - f. Providing services as an editor or reviewer for professional journals;
 - g. Providing services to symphonies, choruses, and theatrical activities.
- G. Non-compensated external work
 Staff members who participate in non-compensated extramural activities during designated work time should use accrued vacation or compensatory time (nonexempt staff only) and/or leave without pay.
- H. Approved activities that serve to enhance the college and for which no compensation is involved, such as serving on accreditation teams and college-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.

PROCEDURE

- I. Reporting Procedures
 - A. Staff members who wish to pursue extramural activities must complete the Staff External Work Report Form if the activity presents a potential conflict of interest.
 - B. The form must be presented to the staff member’s supervisor for approval prior to engaging in the activity. For assistance in identifying and managing potential conflicts of interest, contact the Office of Human Resources.
 - C. Report forms shall be reviewed and updated annually by the staff member and his or her supervisor.

Responsibilities

Position or Office	Responsibilities
Department	<ol style="list-style-type: none"> 1. Review the Staff External Work Approval Report form and determine approval or need for alternative arrangements; 2. Identify conflict of interest at the hiring stage and prepare alternate arrangement plan, if appropriate; 3. Help staff develop alternative arrangements; 4. Monitor alternative arrangements; 5. Review and update reporting forms annually with staff members.
Human Resources	<ol style="list-style-type: none"> 1. Consult with units and/or employees regarding this policy and alternative arrangements; 2. As needed, include alternate arrangement plan in the letter of offer.
Employees and applicants	<ol style="list-style-type: none"> 1. Review and maintain familiarity with Ohio’s ethics law; 2. Disclose all necessary information to the supervisor if there is a potential that a conflict of interest exists. Disclosure should take place prior to the start of external work. The supervisor will determine if a conflict of interest or conflict of commitment exists; 3. Submit Staff External Work Report Form and cooperate in establishing alternative arrangements; 4. Await approval prior to engaging in external work; 5. Update supervisor if changes occur to the alternative arrangements; 6. Annually review and update reporting forms.

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Resources

- [Ohio Revised Code Chapter 102.01 Public Officers – Ethics](#)
- [Ohio Revised Code Chapter 2921.01 Offenses against justice and public administration](#)
- [Staff External Work Report form](#)

Contacts

Subject	Office	Telephone	E-mail/URL
Policy interpretation	Human Resources 1014 Founders Hall	740-366-9367	https://go.cotc.edu/hr

History

Issued: 12/01/2004
Revised: 03/07/2013
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