



1.1.003 Employee Conflict of Interest & Ethics

Subject	Employee Conflict of Interest and Ethics
Effective Date	March 2007
Revision Date	March 2021
Approvals	Financial Services and Vice Presidents
Responsible Office	Financial Services
Owners/Creator(s)	Vice President of Finance (Primary Contact) Director of Human Resources

I. PURPOSE and SCOPE

The University actively encourages an open academic and business environment where teaching, conducting research, disseminating knowledge and conducting school business are the principal goals of the institution. To further these missions, the University has relied and shall continue to rely on the good judgment, professional commitment and moral ethics of its employees to protect themselves and the University from conflicts of interest.

The objective of the MSOE Employee Conflict of Interest Policy is to establish policies and procedures for:

- Providing overall guidelines and a list of particulars for arranging outside activities.
- Disclosing and reviewing potential employee conflicts of interest and commitment.
- Helping employees to avoid potential ethical violations.
- Eliminating unfair or unequal treatment of associates or vendors.
- Protecting University assets and interests.

II. POLICY STATEMENT

The Milwaukee School of Engineering (the “University”) is the University of choice for those seeking an inclusive community of experiential learners driven to solve the complex challenges of today and tomorrow. MSOE sets the standard for preparing leaders to solve the diverse technical challenges of the 21st century. Values that are at the core of the University’s campus culture include collaboration, excellence, inclusion, innovation, integrity and stewardship. In pursuit of the mission and related activities, employees may become involved in outside activities. While such outside activities generally benefit the University and are encouraged, in some circumstances such activities give rise to conflicts of interest or commitment.

This policy addresses the circumstances in which conflicts of interest or commitment may occur. It also provides principles, processes and ethical rules that employees should follow. As used in this policy, the term “employees” means full-time faculty, officers, exempt salaried staff and non-exempt hourly staff (with the exception of custodial staff not in supervisory positions).

Conflicts of interest occur when employees are in a position to influence a decision on policy or purchases where they might directly or indirectly receive financial benefit or give improper advantage to associates or vendors. Conflicts of commitment arise when an employee’s involvements in outside activities substantially interferes with their primary commitments to the University, which is to teach, to conduct research, to conduct business, and to meet related obligations to students, colleagues, suppliers and the University.

Employees should use good judgment, professional commitment and ethics to protect themselves and the University from potential conflicts. A potential conflict of interest does not indicate that an outside activity is inappropriate. When an actual conflict of interest, or the perception of one, exists, the appropriate Vice President will work with the employee to manage or eliminate it.

III. PROCEDURE

A. STATEMENT OF PRINCIPLES:

- Employees should make the fulfillment of their responsibilities to the University the focal point of their professional activities. Employees should only become involved in outside professional activities that advance the mission or prestige of the University or support professional growth and do not interfere with their responsibilities to the University.
- This policy is not intended to unduly restrict involvement in outside activities. Employees are allowed wide latitude in defining their professional agenda and their degree of involvement in outside activities.

B. RESTRICTIONS ON EMPLOYEE ACTIVITIES:

- Gifts in Kind: Gifts in kind (i.e., books, art, and equipment) require formal acceptance by the University, after discussion with appropriate department and administrative officers.
- Solicitation of Funds: No employee shall formally or informally solicit or accept funds for the University, the students or any department thereof, without authority from the President or the Vice President of Development and Alumni Affairs.
- Service as an Expert Witness: Any employee who intends to serve as an expert witness in any civil or criminal case shall promptly report the nature of the case to his or her Vice President.

C. USE OF UNIVERSITY FACILITIES:

- Use for personal or outside activities: University facilities, equipment, supplies or other assets shall not be used by employees for purposes other than carrying out their institutional responsibilities. If for any reason an employee deems it essential to use such facilities, equipment, supplies or other assets for personal or outside activities, the employee must seek prior written approval of his or her appropriate Vice President. Phone and email may be used for minimal personal use utilizing sound professional judgment.
- University Seal: The University seal, or any copy or imitation of it, may not be used by any person, firm, or corporation without the express permission of the appropriate Vice President and CFO or a delegate.
- University Logo: The University logo should be used by any member of the campus community (MSOE faculty, staff, students and alumni) in a manner consistent with the [MSOE Brand Manual](#). Usage of the logo or university marks by any person, firm, or corporation not directly affiliated with MSOE should request prior approval of the Vice President of Marketing and Community Engagement or a delegate. Additional questions and guidance on the use of MSOE's official logos, colors and the university's brand identity standards are available on the [university website](#).
- Care of University Property: All apparatus, equipment, museum materials, scientific collections, books, and other University property shall be in the immediate care of the employees of the respective departments to which such materials belong, subject to the control of appropriate administrative authorities.
- Sale or disposition of University Property: The sale or disposition of University property, plant, or equipment should not be completed without the express permission of the appropriate Vice President and CFO or delegate.

D. PERSONAL GAIN FROM UNIVERSITY POSITION:

- Definitions used hereafter in this section: "Immediate family" means (a) an employee's spouse; and (b) any person who receives, directly or indirectly, more than one-half of his or her support from an employee or from whom an employee receives, directly or indirectly, more than one-half of his or her support, and (c) an employee's child, either natural or adopted, and (d) an employee's sibling, either full or half sibling.
"Organization" means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust or other legal entity other than an individual or body politic.
"Associated," when used with reference to an organization, means that a person or an employee of a person's immediate family is a director, officer or trustee or owns or controls, directly or indirectly, and severally or in the aggregate, at least 10% of the outstanding equity.

- No employee may, in a manner contrary to the interests of the University, use or attempt to use his or her position or University property, to gain or attempt to gain anything of substantial value for his or her private benefit, his or her immediate family, or any organization with which the employee is associated.
- No employee may solicit or accept from any person or organization anything of value pursuant to an expressed or implied understanding that his or her conduct of University business would be influenced thereby.
- No employee may intentionally use or disclose confidential University information in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family, or for any other person or organization with which the employee is associated.

E. CONTRACTING AND LEASING:

- No employee, or his or her immediate family, nor any organization with which the employee is associated, may enter into any contract or lease, derived in whole or in part from University funds, if the employee is in a position to approve or influence, in his or her official capacity, the University's decision to enter into the contract or lease.
- If the employee is not able to approve or influence the University's decision, he or she may enter a contract or lease subject to the University's current approval process and spending policies. The approval process shall determine whether an employee's personal interest in the agreement will conflict substantially and materially with the employee's discharge of his or her University responsibilities.

F. GIFT GIVING

- With the approval of the appropriate Vice President or President, employees may provide nominal gifts to the following:
 - Distinguished visitors to campus;
 - Foreign nationals when University personnel are visiting other countries and gifts are necessary, customary and reasonable in cost;
 - To recognize contributions of time or funding support by members of the public.

G. NEPOTISM

- No employee may participate, formally or informally, in the decision to hire, retain, promote or determine the salary of an employee of his or her immediate family.
- No employee may manage or supervise a member of his or her immediate family either as a direct report or as a member of the department which the employee manages or supervises, this includes student employees.

H. OUTSIDE ACTIVITIES REPORTS

- Employees engaging in reportable outside activities shall file a report of outside activities with his or her Vice President as described below.
- The following outside activities must be reported:
 - Associations with organizations (other than professional societies) related to the employee's fields of academic or business interest or specialization.
 - Any organization providing goods or services to MSOE of which an employee or immediate family is associated.
 - Private remunerative relationships between employees and nongovernmental sponsors of University research for which the employee is a principal investigator.
 - Outside activities in an employee's field of interest or specialization, including but not limited to consulting, with any single source and compensation exceeding \$5,000 in any MSOE fiscal year.
- If, during any MSOE fiscal year, changes in an employee's reportable outside activities occur, the employee shall immediately inform, in writing, his or her Vice President.

I. RESOLVING POTENTIAL CONFLICTS:

- When an actual conflict of interest, or the perception of one, exists, the appropriate Vice President will work with the employee to manage or eliminate it.
- In the event that potential conflicts cannot be resolved at the level of Vice President, they must be referred to the President, who will communicate in writing the basis of his or her decision.

J. CONFIDENTIALITY:

- Many of us are required to deal with confidential information. This information may relate to students, employees, alumni or other parties. It goes without saying that all confidential information must remain confidential and may not be shared outside of the context of work. Employees are reminded that several federal laws protect the privacy of information and must be adhered to. Please contact your supervisor or the Human Resources Department if you are unsure about any privacy issues or are unsure about information that may be shared with other parties.
- All requests made by outside parties regarding information about former employees must be forwarded to the Human Resources Department. These requests will be honored and information provided within the context of prevailing privacy and labor laws. Individuals outside of the Human Resources Department should not provide information on former employees unless authorized to do so by the Human Resources Department.

K. ANNUAL DISCLOSURE REQUIRED:

- The first and most important line of defense against conflicts of interest or commitment must be the employees themselves. The University requires its employees prior to June 30th each year to sign a copy of this policy and submit it, along with any disclosure list of outside activities to his or her Vice President as part of the annual employee evaluation and wage adjustment process.
- Acknowledgement of this policy is a condition of employment at Milwaukee School of Engineering.

IV. EXCEPTIONS

None

V. ASSOCIATED LEGISLATION/REGULATIONS

None

VI. LIFECYCLE

Reviewed annually or as needed

VII. APPENDICES

- A. Outside Activities & Ethics Compliance Report Form

This section to be completed by the Records Manager		
Related Policies	Financial Conflict of Interest	
Date Due for Review	2022	
Public Location(s)	MSOE Policy Library	
Record Manager	Dr. Melodie Fox, Assistant VP of Curriculum & Knowledge Management	
University Archivist	Denise Gergetz, eResources Librarian & Archivist	
Version History		
Date approved	Amendment Summary	Date(s) cross locations updated and past version provided to University Archivist
	Transfer to Policy Library format	
Financial Services/ VPs: 3/2021	Revised and expanded section about the use of the university logo	October 1, 2021
Financial Services/ VPs: 2/2020	Updated the mission and vision statements and added an inclusivity statement in the policy statement. minor	October 1, 2021
Financial Services/ VPs: 3/2018	Significantly rewrote Policy Statement, changed “member” to “employee” throughout, wording changes throughout	August 2, 2019
Financial Services/VPs: 4/2017	Not available	
Financial Services/VPs: 5/2014	Not available	
2012/2013 Fiscal year		November 24, 2020
Financial Services: 3/2007	Initial Approval-copy not available	



Outside Activities & Ethics Compliance Report

For the time period for the upcoming fiscal year ending June 30, _____:

I have read, I understand, and I will comply with the Conflict of Interest & Ethics policy.

I have reportable Outside Reportable Activities: YES NO

If response is YES, describe below:

Employee Name (please print): _____

Employee Signature: _____ Date: _____

Human Resources Signature: _____ Date: _____

Vice President Signature: _____ Date: _____

*VP signature required only if outside activities are reported (HR will route accordingly)