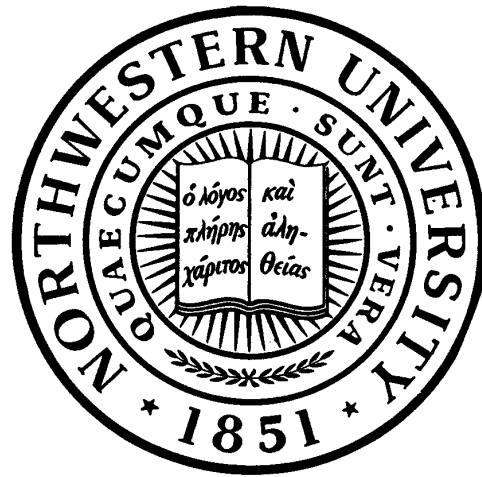


# Northwestern University



Staff Conflict of Interest  
June 1, 2008

**Staff Conflict of Interest**

Employees covered

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Regular non-exempt and exempt staff in research, academic, or administrative positions, including all post-doctoral fellows, research associates, coaches, non-faculty physicians and non-faculty veterinarians.

Policy

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It is the policy of Northwestern University that its employees conduct the affairs of the University in accordance with the highest ethical, legal, and moral standards.

Northwestern University resources are to be used only in the interest of the University. An employee may not commit University resources to activities not in the interest of the University, including personal outside activities.

To avoid a conflict between personal or professional interests and University interests, an employee must not be in a position to make a decision for the University if his or her personal, professional, economic gain or interest may be directly influenced or affected by the outcome.

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Definitions

A **conflict of interest** exists where the occurrence of an activity or interest competes with or diminishes the interest of the University or interferes with the employee's performance of duties on behalf of the University. A conflict of interest also exists where the outcome of an activity or decision serves the personal, professional, or economic interest of the employee and is in conflict with the interests of the university. Some examples that commonly present conflicts of interest are those that require determining the use of suppliers, University resources, or one's use of work time.

An **activity** is any paid or volunteer activity undertaken by an employee of Northwestern University outside the scope of his or her regular University duties, which may include participation in professional, civic, or charitable organizations.

**Paid activity may** include paid services such as consulting, working as a technical or professional advisor or practitioner, or holding a part-time job with another employer, whether working in one's University occupation or another.

Expectations for conduct

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Northwestern University expects its employees to advance the University's mission of education, research, and service, as part of the responsibility with which they are entrusted. This includes applying the time and effort for which they are compensated, and the use of University resources toward University ends. When the application or use of these resources can result in personal advantage beyond the provisions of their employment status, or to the detriment of the University's mission, that use of resources represents a conflict between the employee's interest and that of the University is to be avoided.

This policy establishes a standard of conduct to enhance the reputation of the University and its employees and to protect the financial well-being, reputation, and legal obligations of the University.

University staff are expected to conduct University business with high standards. This policy establishes a method to protect staff members from any questionable circumstances that might arise and to provide a method to resolve any apparent or real conflict of interest.

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**Staff Conflict of Interest**

## Apparent and real conflicts

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**Apparent conflicts of interest.** On occasion, a staff member may be presented with circumstances in which personal and University interests may be unclear or where there may be an appearance of conflict of interest. For example, a staff member may have an outside business interest or time commitment that distracts attention from University work, uses of University resources for that interest, or appears to influence judgment in University decisions. .

**Real conflicts of interest.** On occasion, a staff member may have an interest in outside University work which could present a conflict in making a decision or in committing time or University resources, such as one's paid time. In these cases, informing the supervisor of the potential conflict may serve to remove the conflict.

Good judgment of the staff is essential, and no list of rules can provide direction for all the varied circumstances that may arise. In case of doubt or a questionable situation, it is desirable to resolve the issue with one's supervisor.

## Examples of conflict of interest

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The following activities are examples of situations that may raise questions regarding an apparent or real conflict of interest.

**Professional, charitable, or civic organizations.** If University time or resources are used for professional, charitable, or community activities, the use of this time for those activities can be a conflict of interest. Incidental calls or interruptions by such activities are not likely in conflict with job duties. Participation in activities of a professional association representing one's assigned University work may align with rather than conflict with University interest. Conferences, workshops, and symposia as a presenter, attendee, or program organizer, or professional association business activities in the individual's professional area may advance both the individual's and the University's interests. A conflict of interest exists if the supervisor judges that the time on these matters prevents completion of assigned duties or judges that the activity is in conflict with department objectives or job goals. A discussion with the supervisor is needed to resolve any potential conflict of interest and is needed if these activities consume substantial work time or attention. A memorandum of the discussion and approval of the activity should be written to assure understanding and to document approval.

**Consulting.** Consulting activity that uses University resources or an individual's time on the job, because it competes with the University or conflicts with the performance of the job, presents a conflict of interest. Consulting that does not use the University's resources and does not occur during University work does not present a conflict of interest. Activities that present a potential conflict of interest require the written permission of the supervisor or department head. Permission is given if the activity does not compete with University activities or interfere with the performance of the staff member's University duties.

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## Staff Conflict of Interest

Examples, continued

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**Non-University activities performed during scheduled work.** These non-University activities must be approved in advance by the individual's supervisor or department head. A conflict exists when University paid work time is spent doing activities unrelated to the University's business.

**A gift or gratuity** other than occasional meals. Favors of any value should be recognized for their influence on the objectivity of judgment with respect to the provider of the favor. Social invitations that do not place or appear to place the recipient under any obligation are acceptable.

**Use of University goods or services.** A conflict of interest exists if University resources are used for the personal benefit of an employee or an employee's immediate family (spouse or children). Exceptions are goods or services generally available for sale to all employees.

**Economic interests.** A business entity in which an employee has an economic interest represents a potential conflict of interest if the employee has any involvement in the selection of that entity as a University vendor. An economic interest includes the employee's or a relative's ownership or partnership in the business, including serving as stockholder, director or officer in a non-publicly held company. Engaging a relative as an independent contractor is also a conflict of interest for an employee. A conflict of interest may be avoided if the employee brings a supervisor into the decision to engage the vendor.

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**Approval process**

Each staff member is responsible for their conduct under this policy. An employee who may be involved in a conflict of interest or has any question about the application of this policy has the responsibility of advance notice and following the disclosure process outlined below.

**Advance notice.** An employee about to engage in an activity that may present a conflict of interest must provide written notification to the immediate supervisor or department head. The supervisor or department head considers all factors relevant to the situation, advises the employee in writing whether the activity may be undertaken.

**Disclosure.** In addition to the advance notice for an individual about to undertake an activity with a possible conflict of interest, each University staff member is to affirm a lack of conflict or disclose any conflict of interest or potential conflict on an annual basis in response to a questionnaire distributed for that purpose. The immediate supervisor or the head of the unit reviews responses to the questionnaire and approves or disapproves relationships or situations where conflict exists.

**Appeal.** A supervisor's disapproval may be appealed to the department head, if this is not the immediate supervisor, or to the dean of the school or to the applicable vice president of the administrative area. The appeal should be in writing, and the individual receiving the appeal should respond within five business days.

It is expected that conflicts of interest are best resolved in the unit where the job is located, but staff members not satisfied with the appeal outcome may seek the help of the associate vice president for human resources in mediating the differences, or in further appealing the judgment if desired.

**Assistance.** A staff member may also wish to discuss his or her concerns regarding a conflict of interest decision with a human resources consultant in the Office of Human Resources. A member of the Northwestern University Staff Advisory Council (NUSAC), while not an advocate in an appeal, may provide support in working through an appeal.

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**Compliance**

A member of the staff who does not comply with this policy is subject to discipline up to and including termination of employment.

Coercion or pressure imposed by supervisors on their subordinates to perform tasks unrelated to University business on University time or to behave in other ways defined in this policy statement as a conflict of interest are not tolerated and are to be reported by the employee to the dean of the school or the vice president of the applicable administrative area. The individual may seek advice or report such incidents to the associate vice president for human resources.

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