

CONFLICTS OF INTEREST AND COLLEGE COMMITMENT

PURPOSE

The purpose of this Conflicts of Interest and Commitment policy is to ensure that employees conduct themselves in a manner that fosters public confidence in the integrity of the College and commitment of its employees, and to ensure compliance with Ohio's ethics laws.

POLICY STATEMENT

General Standards of Ethical Conduct & Duty to Avoid Conflicts of Interest

All Edison State Community College employees are expected to comply with Ohio's ethics laws and avoid improper conflicts, as found in Chapters 102 and 2921 of the Ohio Revised Code. The guiding principle of Ohio's ethics laws is to prevent a public employee, including College faculty, administrators and staff, from participating in matters that involve the public employee's own financial interest or those of the employee's family or business associates. College employees must therefore conduct themselves in a manner that avoids favoritism, bias, and the appearance of impropriety. As such, no College employee, by virtue of his or her employment, may receive special treatments or favors from others who do business with the College. Nor may employees use their College position for their personal benefit or for the benefit of a family member, as defined by this policy, or non-College business associate.

College Commitment

All Edison State Community College employees are expected to devote their work activities to functions of the College during College work hours. Employees may not engage in external work or any activities, paid or unpaid, that could result in a conflict of interest or could interfere with their overriding commitment to the College or to the performance of their duties and responsibilities to the College. This prohibition also applies to political activities and non-College governmental work (elected or appointed office). Employees who engage in external work or activities are expected to perform such work or activity during non-College work time, without utilizing College property or resources.

If external work or activity is performed during assigned College work time, employees must use vacation time that has been pre-approved by the supervisor.

Any employee who is elected or appointed to public office must promptly notify his or her area vice president or dean upon the election or appointment.

Soliciting, Accepting or Using Authority for Anything of Value

Employees may not solicit or accept "anything of value" from anyone who does business with the College or is seeking to do business with the College. Nor may employees use the authority of their College position to secure "anything of value" from anyone who does business with the College or is seeking to do business with the College. Such actions are considered "misuse of official position under Ohio Revised Code Chapter 102.

If an unsolicited gift is delivered, the employees should immediately notify the supervisor. The supervisor should consult with the Chief Human Resources Officer to determine an appropriate course of action, which could include disposal, return or, as an example a food item that can be broadly distributed, sharing the gift.

The prohibitions under this section do not apply to items of nominal value. Examples include conference trinkets, a meal at a fast food or family restaurant, a promotional item, inexpensive entertainment activity, so long as they are not viewed as having a substantial or improper influence over the employee.

Honorariums

Employees, except for non-administrative faculty, as expressly authorized in O.R.C. 102.03(H), are prohibited from soliciting or accepting an honorarium, as defined by this policy.

Public Contracts

As directed by O.R.C. 2921.43, employees are prohibited from authorizing, approving, recommending, or in any manner influencing others to secure a College contract in which the employee or family-member or non-College business associate has a financial or personal interest. In order to avoid even the appearance of impropriety, employees may not participate in any College decision-making process, formally or informally, regarding a College contract that could provide a personal benefit.

Employees, their family members and/or non-College business associates are specifically prohibited from having an interest in the profits or benefits of a College contract that has not been competitively bid. These individuals are not considered to have an interest in a College contract if the following four-part test is met:

- The supplies or services that are the subject of the College contract is necessary for the College; and
- The supplies or services are not obtainable elsewhere for the same or lower cost, or the supplies or services are being furnished as a part of a continuing contract; and
- The treatment accorded the College is either preferential to or the same as that accorded other customers or clients in similar transactions; and
- The entire transaction is conducted at arm's length, with full knowledge of College administrators who are evaluating the transaction of the individual employee's conflict and the employee takes no part in the deliberation or decision with respect to the contract.

Ohio's Ethics Laws

It should be realized that every type or source of conflict of interest cannot possibly be outlined in this policy. Ohio laws concerning conflicts of interest, namely Ohio Revised Code Chapter 102 and Ohio Revised Code Sections 2921.42 and 2921.43, must be adhered to in the conduct of any duties related to employment with the College. A summary of Ohio's ethics laws and guidance from the Ohio Ethics Commission can be found at www.ethics.ohio.gov.

Disclosing Conflicts & Reporting Violations

To avoid conflicts of interest and violations of this policy, circumstances actually or potentially involving such conflict should be promptly and fully disclosed to the College's Chief Human Resources Officer. Such consultation should, of course, occur before, not after, the taking of any action that might raise ethical issues. Known or suspected violations of this policy should also be reported to the Chief Human Resources Officer.

Discipline and Other Sanctions

Failure to abide by this policy and/or Ohio's ethics laws may result in College discipline up to and including termination. Known violations may also be referred to the Ohio Ethics Commission and local prosecutor for possible civil and criminal sanctions.

PERSONS AFFECTED

All Edison State Community College employees.

DEFINITIONS

ANYTHING OF VALUE

Includes anything of monetary value, including, but not limited to, money, loans, gifts, food or beverages, social event tickets and expenses, travel expenses, golf outings, consulting fees, compensation, or employment.

“Value” means worth greater than de minimis or nominal.

FAMILY MEMBER

Spouse, parent, stepparent, child, stepchild, grandparent, grandchild, sibling, and any other individual related to the employee by blood or marriage if that individual lives in the same household with the employee.

HONORARIUM

Any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or similar gathering. "Honorarium" does not include ceremonial gifts or awards that have insignificant or nominal monetary value.