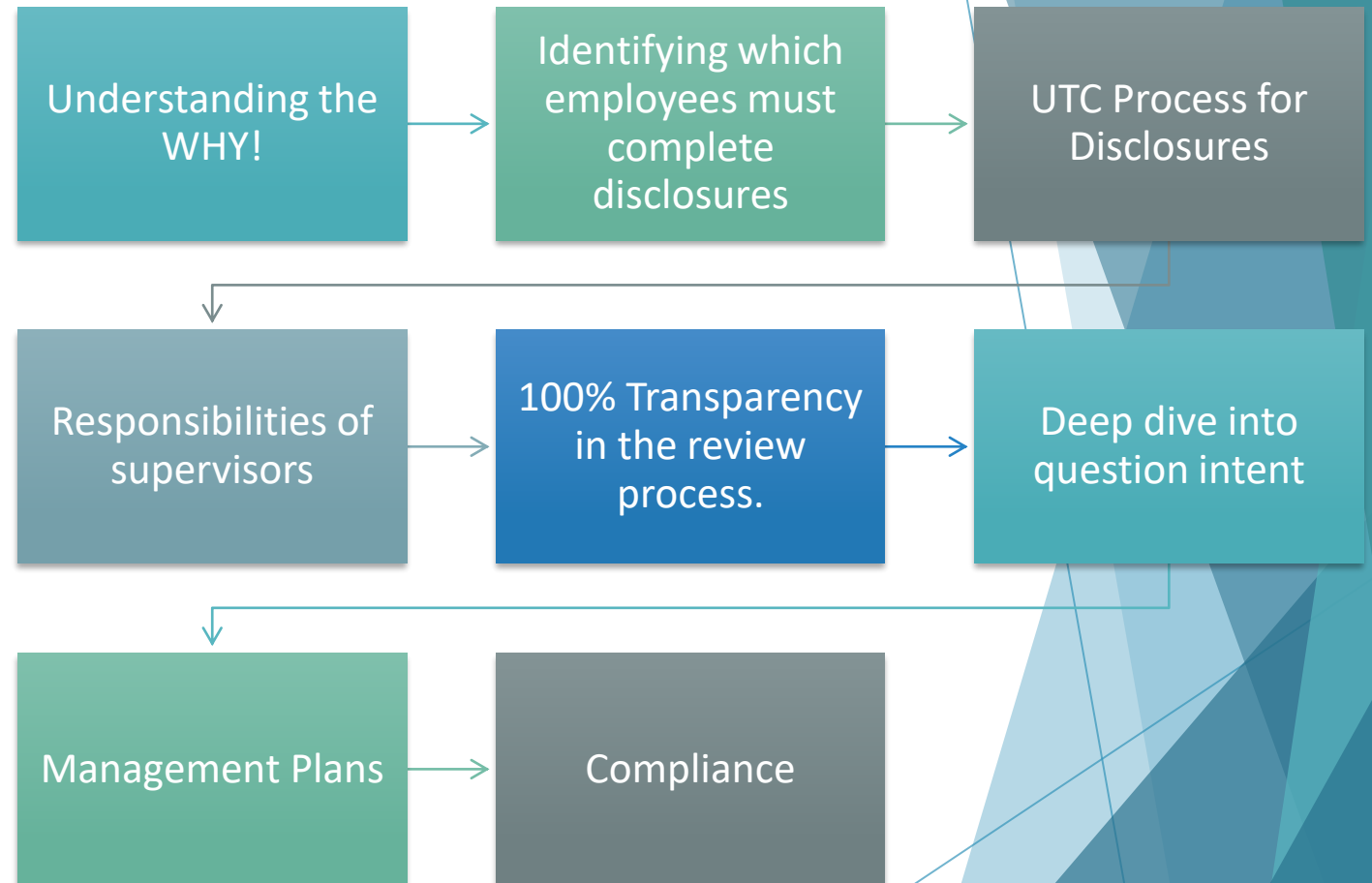


Decoding The Outside Interests Disclosure (OID) Process



Goals of this presentation



Conflict of Interest Overview

- ❖ In general, a conflict of interest is a scenario which an outside activity could influence a person (or team) in such a way that it creates a real or perceived bias in their work.
- ❖ The perception of a conflict can have a negative impact on the reputation of both the employee and the University.
- ❖ The goal of the Conflicts of Interest process is simply to protect both the University and University Employees.
- ❖ Conflicts of Interests are mainly seen in three forms:

Financial Conflicts of Interest

A heightened awareness of research conflicts may cause some employees who aren't involved in research to wonder why they are still being required to complete an outside Interest Disclosure Form each year.

A non-research related conflict can pose as great of a risk as a research conflict. Even the perception of a conflict can have a negative impact on not only the reputation of the University but also to the employee themselves.

UT Policy [GE0002-Conflicts of Interest & Commitment](#) represents a merged approach to ensure that not only financial conflicts are reviewed but also that various federal/agency requirements are accounted for within our annual disclosures.

- ▶ Examples of Financial Conflicts of Interest:
 - ▶ An employee owns a personal business and steers departmental purchases to their company.
 - ▶ An employee starts a business that is exact/similar to their work at UT and places themselves in direct competition with UT for the services.
 - ▶ A University Official, who's in a position to approve/influence contract decisions, signs an agreement for the University to procure services from either their own business or a business owned by a family member.
 - ▶ An employee provides a sole-source non-competitive bid for a company they have ownership in without disclosing their interest.

Nepotism

UT Policy [HR0115 – Employment of Relatives](#) states, “For the purpose of this policy, *relative* shall mean a parent, foster parent, parent-in-law, child, spouse, brother, foster brother, sister, foster sister, grandparent, grandchild, son - in-law, brother-in-law, daughter-in-law, sister-in-law, or any other family member who lives in the same household.”

Employment of relatives is permitted. However, no employees who are relatives shall be placed within the same direct line of supervision whereby one relative is responsible for supervising the job performance or work activities of another relative.

▶ Examples of Nepotism:

- ▶ An employee supervises a family member or influences decisions regarding evaluations/merit reviews, resulting in an unfair advantage or financial gain.

The OID form specifically asks about immediate family to ensure compliance with policy.

Conflicts of Commitment

A conflict of commitment can occur anytime an employee devotes too much time to an outside interest/commitment that it interferes with their ability to perform their duties to UT.

There are various ways to address conflicts of commitment. Just because the activity creates a conflict doesn't always mean the employee must stop participating in the activity. There are normally, not in all cases, ways to mitigate the conflict.

- ▶ Evaluating Conflicts of Commitment
 - ▶ Conflicts of commitments must be reviewed at the supervisor level and discussed with employees.
 - ▶ Any outside activity, paid or unpaid, that distracts employees from their UT responsibilities or prevents them from fully being able to meet their UT duties is considered a conflict.

Employees required to complete annual disclosures based on payroll classification:

- Regular employees (benefits-eligible)
- Graduate Assistants
- Temporary employees

Regular Employees

- Full-time and Part-time benefits-eligible employees

Graduate Assistants

- GA's, GRA's, and GTA's are considered employees of UT

Temporary Employees

- Seasonal or seasonal event staff employees in temp status **are not required** to complete the form. All other temporary employees are, including Adjunct Faculty.

What about "Friends?"

- Individuals classified as Friends of UT in IRIS are **not** required to complete the form.

Timeline for Completion of Disclosure Form

► Annual Completion of the Form:

- Notifications to complete the OID form will be sent out annually each Fall semester.
- The expectation is for employees to complete the form by December 31 each calendar year.

► Update/Changes:

- Any changes in outside interest must be disclosed via the OID form within 30 days of the change.

► New Hires & Transfers:

- The OID is required to be completed within 30 days of a new employee's hire date.
- Current employees transferring positions are required to disclose outside activities within 30 days of transfer into their new position.

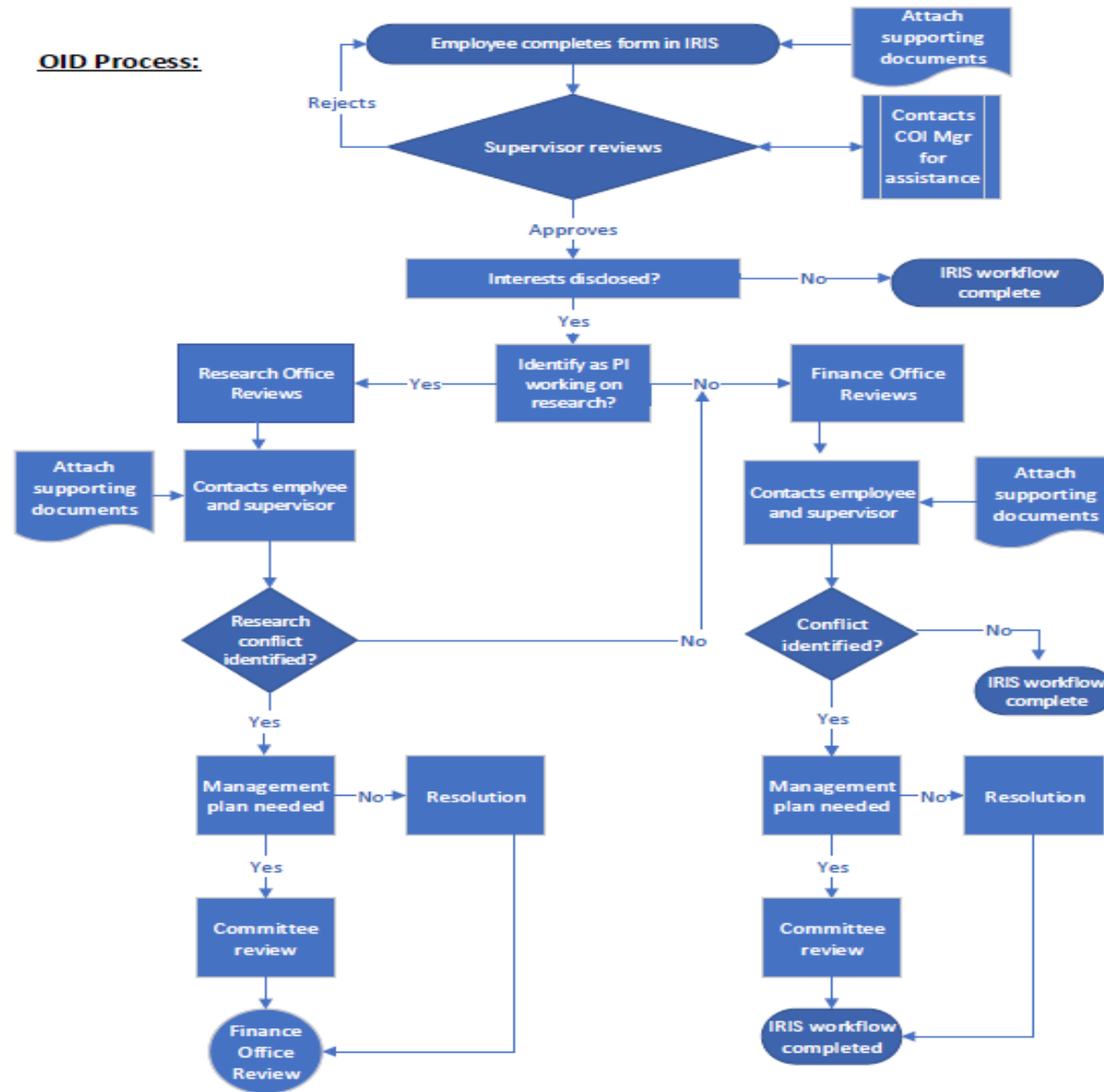
What is expected of employees when completing the form?

- ▶ When employees are completing the form, take time to thoroughly read through each question.
- ▶ When reading the question, if you have to ask yourself whether you should or should not disclose something, this indicates you should disclose. When in doubt, disclose.
- ▶ The goal is to ensure if there is ever a concern reported, whether real or perceived, it has been disclosed and already reviewed/addressed.
- ▶ If you develop new interests, submit an updated disclosure form.

Supervisor Expectations

- ▶ Because supervisors are best suited to evaluate and provide perspective regarding potential conflicts, the **Supervisor Review** section asks supervisors if the information disclosed represents a potential conflict of interest with the employee's University responsibilities or activities with sponsoring organizations. If there is any hesitation to the Yes/No question, then utilize the notes section to add any clarification and provide background, and/or reach out to the COI Committee Chair, Laure Pou, Assistant Vice Chancellor for Human Resources (Laure-Pou@utc.edu / x5742) for consultation.
- ▶ Supervisors have first-hand knowledge of the day-to-day expectations of each employee's position and are well positioned to know if an outside interest is so similar in nature to their University roles and responsibilities that it needs a closer review.
- ▶ Questioning or calling attention to the need for potential additional or external review is good due diligence. It doesn't mean the interest will be determined to be a conflict.

OID Process:



Now, for the next few slides, let's take a closer look at a few specific questions on the OID form and discuss them!

► First Question – Outside Affiliations

- Asks, “Are you an employee, board member, director, officer, consultant, or are otherwise affiliated with any external (non-UT) entity? Include for-profit entities ... and non-profit entities.....)”
- Why is this being asked?
 - Simply, because affiliations you have outside of UT, can create a potential concern for conflict if the affiliation has influence in any way to the employee's roles and responsibilities at UT. Examples of potential conflicts:
 - A board member for a company that funds research for the employee or their department.
 - Being an employee in a company that conducts business within your UT department.

The next set of questions concern Business Ownership Interests. They are:

- Do you have any ownership, equity, or other financial interest in any business or entity that is not publicly held?
- Do you have an ownership, equity, or other financial interest in any publicly-held company that exceeds \$5,000 in value or 5% of the entity (you do not need to disclose ownership through retirement accounts or mutual funds, unless you manage these yourself)?

- ▶ The information being asked is necessary to ensure there are no financial conflicts.
- ▶ From both the financial and research perspective, we can determine whether a personal financial interest creates a possible conflict between employees and researcher roles and responsibilities.
- ▶ There is a way to attach a list of these interests without having to list them each year.
- ▶ We hope the new ERP system will allow for previous year's information to be pre-populated; however, we are unsure of this functionality at this time.

Foreign Relationships Questions

- Does having an affiliation with an international institution or organization mean that I am doing something wrong?

No. International affiliations can be a positive for all parties involved. They will be reviewed in the same manner as any other disclosure. The key is they must be disclosed so that the review can take place and you remain in compliance with federal regulations.

Foreign Travel

Have you traveled or anticipate traveling internationally in the previous or next 12 months to any of the following countries (exclude vacations and family visits)

For this question, you can attach documentation if needed instead of listing all travels.

Note, if you have already disclosed this travel within Concur, you do not have to include it here.

We see a lot of disclosed travel to visit family or for vacations. These do not need to be disclosed, unless you conducted UT business or research while on travel.

Services performed for you or your immediate family by UT employees or students:

Has any UT employee or student, whom you supervise, advise or instruct, performed any personal services for you, or your parents, spouse, or children, in the previous 12 months or in the next 12 months?

- ▶ Please note, UT policy [HR0122 – Employment of University Employees by Other University Personnel](#) prohibits university employees from hiring another university employee to perform personal services when said employee is within their line of authority.
- ▶ What does this include?
 - ▶ Babysitting, dog walking, landscaping, home repair, etc.... services when the person is someone with whom the employee instructs, advises, supervises, provides day-to-day supervision, oversight, influence in reviews/merit, or determines resource allocations.

Managing Conflicts of Interest

- ▶ When a potential conflict is identified, it is not always necessary to stop the activities associated with the potential conflict.
- ▶ Instead, management plans can be established to help manage activities to avoid a conflict occurring.
- ▶ Documented management plans help the University and University employees demonstrate due diligence in adhering to federal requirements and regulations.
- ▶ Management plans are established in collaboration with the employee, administration and COI officials.

Developing Management plans



Ms. Smith is a full-time employee at UTC. Her spouse owns a business which makes specialty hats and shirts. She also works for the business.

- Ms. Smith works about 30 hours a week for the family business.
- The businesses Trademarked items are in high demand.
- Her spouse has also expressed interest in contracting with UTC to provide exclusive products.

- ▶ What are the first questions one should ask?
 - ▶ Are the 30 hours a week conducted during normal University business hours, potentially creating a conflict of commitment?
 - ▶ If so, is annual leave being taken by Ms. Smith during the time she is working for the family business?
 - ▶ In addition, are University resources, such as computers or office supplies, being utilized to perform work for the family business?
 - ▶ If the work is being performed outside of UT business hours, is the time spent at the business affecting her ability to accomplish required UT job responsibilities?
 - ▶ Has Ms. Smith's department procured any services from the business?

Steps to put together a management plan


1. The UTC COI Committee Chair convenes all necessary parties to gain answers to the questions posed on the previous slide. Any new information discovered during conversation will also be explored.
2. All policies will be reviewed, as they apply.
3. A management plan would proceed as follows based on review of all available information:

▶ **Management plan action steps:**

- ▶ If the University decides to enter into a contractual agreement with Ms. Smith's family business:
 - ▶ Ms. Smith can't participate in the bid review/selection process.
 - ▶ Ms. Smith must disclose the affiliation with UT in the proposal.
 - ▶ Any purchases made by Ms. Smith's department must be approved by someone who is not supervised by her and has no affiliation with the company.
- ▶ Documentation of confirmation that no University resources are being used in the employees outside interest, and work isn't being performed for the business during normal UT business hours.
- ▶ Annual Outside Interest Disclosure Forms must be submitted as long as the affiliation exists.
- ▶ Other steps deemed necessary.

Once the Management Plan is formalized, what happens then?

- ▶ The employee, their supervisor, and the designated official will sign the management plan.
- ▶ The management plan will be logged into the designated official's tracking system and will then be actively monitored based on a timeline that will also be listed in the management plan.
- ▶ The management plan will specifically outline the monitoring time periods and will identify the appropriate parties for providing the monitoring.
- ▶ The plan will remain active until the outside interest no longer exists.



The overall goal of the OID process is to ensure 100% compliance with disclosure and review of any outside interest in order to protect both the University and its greatest assets, our employees.

Several resources are available to help employees navigate the OID process:

- ▶ UT Policy [GE0002](#) – Conflicts of Interest & Commitment
- ▶ [Do I Disclose?](#) – Guidance Document for GE0002.
- ▶ [What to Disclose](#) – Another Guidance Document for GE0002.
- ▶ [UTC Conflict of Interest Disclosure website](#)
- ▶ [HRO122 – Employment of University Employees by Other University Personnel](#)
- ▶ [HRO115 – Employment of Relatives](#)



Accessing OID Forms on IRIS Web

- Sign in to the [IRIS Web Portal](#) with your NetID and Password
- Click on the **Employee Self-Service** tab
- Click on the **Personal Information** link
- Choose the **Outside Interest Disclosure** link and follow the instructions on the screen for completion. Documents may be attached as necessary.
- **Need Help?** Once the form has been accessed, employees can use the **Help** and **Video** buttons located within the top toolbar for additional information regarding completion of the form.
- After completing and submitting the form, it will be routed electronically through the review process.



Personal Information

Display your personal data from the IRIS System. Data such as: demographic information, organizational assignments, addresses, education, communication and bank information.

Quick Links



[Outside Interest Disclosure](#)

Questions?

Contact the UTC COI Committee Chair:

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Assistant Vice Chancellor of Human Resources

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