

3356-7-34 Outside consulting services/employment by full-time university employees.

- (A) Policy statement. Youngstown state university (“university”) employees are responsible for meeting the expectations and responsibilities of their positions with the university. At the same time, the university recognizes that employees, the university, and the community can benefit from employee involvement in and support of outside organizations and industry. Employees may engage in outside consulting services/employment provided that the consulting services/employment does not interfere with the performance of their university responsibilities and/or job performance, create a conflict of interest, or violate any university policy or state or federal statute.
- (B) Purpose. To establish guidelines which allow employees to engage in outside consulting/employment activities while continuing to fulfill their work responsibilities and commitment to the university.
- (C) Scope. This policy applies to all full-time university employees, i.e., professional/administrative staff, deans and chairpersons, classified staff, and all faculty with administrative/supervisory duties. This policy does not apply to faculty covered by 3356-7-18, “Outside consulting/employment services – full-time faculty.”
- (D) Definition. In general, “outside consulting services or employment” is defined as professional activity related to a person’s field or discipline, where a fee-for-service or equivalent relationship with a third party exists.
- (E) Parameters.
- (1) All employees subject to this policy are covered by Ohio ethics laws in Chapters 102. (ethics) and 2921. (offenses against justice and public administration) of the Revised Code.
 - (2) Employees providing consulting services should also refer to the university policies and rules 3356-7-01, “Conflicts of interest and conflicts of commitment,” 3356-5-12, “Licensing of university names and marks,” and 3356-4-19, “Use of university equipment” of the Administrative Code.

- (3) Outside consulting services/employment is generally allowed unless it interferes with an employee's university duties or presents a conflict of interest regarding these duties. A conflict of interest typically exists when financial, professional, or other personal considerations directly or indirectly affect or benefit, or have the appearance of affecting or benefiting, an employee or the employee's family or business associates. (See 3356-7-01, "Conflicts of interest and conflicts of commitment" of the Administrative Code.)
- (4) Failure to adequately perform university responsibilities due to involvement in outside consulting/employment is considered neglect of duty and may result in corrective action up to and including termination, regardless of whether the activity has been reported or approved.
- (5) Any outside consulting services/employment should be performed outside of an employee's regular work schedule. When this is not possible, the employee must use accrued vacation or personal leave, provided such leave is approved in advance.
- (6) University facilities, supplies, equipment, and resources, including letterhead, the university name and logo (collectively referred to as "resources") may not be utilized when providing consulting services/employment without the prior written approval of the vice president for finance and business operations and the provost or appropriate vice president and appropriate compensation for the use. Approval for the use of university resources does not negate the university's rights to and interest in discoveries, inventions, or patents pursuant to Ohio law.
- (7) An employee may not use their affiliation with the university in a manner that suggests university approval of or involvement with the service/employment or any product, activity, purpose or findings of the service or work.

(F) Procedures.

- (1) All full-time employees engaged in outside consulting/employment shall annually complete the human resources outside consulting/employment disclosure form. The completed form should be

submitted to the employee's immediate supervisor at least thirty days prior to the time when consulting services are expected to begin.

- (2) If the supervisor supports the request, the request is forwarded to the next level. This process continues until the request (with endorsements) is received by the provost or appropriate vice president. Final approval is within the discretion of the appropriate vice president/provost.
 - (3) The completed form shall be forwarded to the office of human resources where it is retained in accordance with university retention schedules.
 - (4) Prior approval may be rescinded at any time if the outside consulting/employment interferes with an employee's university duties or presents a conflict of interest regarding these duties.
 - (5) The office of human resources will forward a copy of the completed form, whether approved or disapproved, via university email to all signatories. The office of human resources will also forward a copy to the office of research. Otherwise, the office of human resources will maintain the forms and information in accordance with university retention schedules.
 - (6) All employees are under a continuing duty to update the form when circumstances change.
- (G) Policy violations. Failure to adhere to this policy, including but not limited to failure to properly report outside consulting services/employment, may result in corrective action/discipline up to and including termination.

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