

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.

(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 rule 3356-7-18 of the Administrative Code, “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) Conflict of interest (Ohio ethics laws and related statutes):

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.

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 rule 3356-7-01 of the Administrative Code, “Conflicts of interest.”)

(2) Conflict of commitment:

Acceptance of an appointment at the university requires that the employee make a commitment to the university.

Outside consulting services/employment should not conflict with the overriding commitment made to the university. A conflict of commitment typically exists when an employee engages in outside consulting services/employment, either paid or unpaid, that interferes with, or appears to have a potential to interfere with, the performance of university job duties and responsibilities.

Employees are expected to avoid any situation which compromises, or appears to compromise, their loyalty to the university and commitment to their university responsibilities.

Ful-time appointments should be regarded as full-time employment responsibilities to the university. All outside consulting services/employment, whether for compensation or otherwise, must not be performed at the expense of the individual's primary responsibilities to the university.

(3) Employees providing consulting services should also refer to rules 3356-7-01, 3356-6-05, and 3356-4-19 of the Administrative Code, "Conflicts of interest," "Licensing of university names and marks," and "Use of university equipment."

(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 outside consulting/employment disclosure form (form) through the designated electronic process, regardless of whether or not they engage in outside consulting/employment.
- (2) Employees shall submit the completed form through the designated electronic process for approval/disapproval by their chain of command at least thirty days prior to the commencement of the consulting/employment services.
- (3) 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 and/or conflict of interest regarding these duties.
- (4) Through the designated electronic process, the employee will be notified whether the form is approved or disapproved. The office of human resources will maintain the forms and information in accordance with university retention schedules.

(5) 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.