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1. PURPOSE AND SCOPE

The purpose of the policy is to provide standards for business conduct, disclosure, and conflict of interest.

2. POLICY

It is the policy of the College that all employees are expected to observe the highest standards of business conduct in all of their dealings and to avoid situations that could result in a conflict of interest with the College.

3. DEFINITIONS

3.1 Conflict of Interest: A conflict between a public employee or officer's public duties and their private interests.

3.2 Employment: For purposes of this policy, defined as being self-employed; working for another company; or working as a consultant.

3.3 Honoraria: A payment given to a professional person for services for which fees are not legally or traditionally required.

3.4 Public Employee: A person who is not a public officer who is employed on a full-time, part-time, or contract basis.

3.5 Public Officer: All elected or appointed officers of the College who occupy policymaking posts. Public officers are subject to the same duties, requirements, and prohibitions as public employees.

3.6 Substantial Interest: The ownership, either legally or equitably, by an individual, the individual's spouse, or the individual's minor children, of at least 10 percent of the outstanding capital stock of a corporation or a 10 percent interest in any other business entity.

3.7 Supervisory Staff: For purposes of this policy, defined as director level and above.

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4. REFERENCES

- Utah Code, 67-16-1, et. seq, State Officers and Employees, Utah Public Officers' and Employees' Ethics Act
- Utah Code, 63G-6a-2404, Utah Procurement Code – Unlawful Conduct – Exceptions – Classification of Offenses
- Governor's Executive Order EO 002 2014 – Establishing an Ethics Policy for Executive Branch Agencies and Employees
- Utah System of Higher Education Ethics Including Conflicts of Interest
- Ogden-Weber Technical College Employee Complaints and Grievances policy (#520.14)
- Ogden-Weber Technical College Corrective Action policy (#520.29)

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1. General Guidelines

- 1.1 Employees may not use College property, resources, including information acquired by reason of their official position or in the course of official duties, or their position for private gain.
- 1.2 The Human Resources Department shall retain a signed receipt from each employee acknowledging an understanding and acceptance of the College's "Conflict of Interest" policy. The signed receipt shall be placed in the employee's personnel file.
- 1.3 Disclosure of conflicts of interest is required. When an apparent conflict of interest does arise, the employee should immediately disclose to management the nature and extent of the conflict and comply with the College's decision to resolve the matter.
- 1.4 Employees shall disclose when they or a family member have a substantial interest in an outside entity which may seek to conduct business with the College. The disclosure shall be made to their immediate supervisor and the purchasing agent.
- 1.5 In addition to any other penalty, in accordance with Utah Code, State Officers and Employees, 67-16-12 and 67-16-14, any public officer or public employee who knowingly and intentionally violates this policy shall be dismissed from employment or removed from office.

2. Outside Employment

- 2.1 No employees may accept other employment that:
 - 2.1.1 would conflict with their College employment;
 - 2.1.2 they might expect would impair their independence of judgment in the performance of their College duties;

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2.1.3 they might expect would interfere with the ethical performance of their College duties; or

2.1.4 might require them to disclose confidential College information.

2.2 Employees shall report all outside employment to their supervisors whether or not it has the potential or appears to be in conflict with their College employment.

2.3 A public employee may receive honoraria or paid expenses in accordance with this policy, as long as the services provided do not interfere with the efficient performance of the employee's College position nor conflict with the interests of the College or the state of Utah.

3. Gifts or Other Benefits

3.1 Employees may not accept gifts (except as noted in section 3.3.2) or other compensation such as travel, money, loans, goods, services, rebates, favors, or preferential treatment for self or associates that might be intended to influence or reward the employee in the performance of official College business.

3.2 Supervisory staff and purchasing agents are held to higher standards as they relate to receiving or accepting gifts (see Utah Procurement Code, 63G-6a-2404).

3.3 An employee may accept the following to the extent they are not intended to influence or reward the employee for conducting their prescribed College duties:

3.3.1 Lunches, where the favor can be returned in kind.

3.3.2 An occasional non-monetary gift, having a value not in excess of \$50.

3.3.3 An award publicly presented in recognition of public service.

3.3.4 Any bona fide loan made in the ordinary course of business.

3.3.5 A political campaign contribution if the contribution is actually used in a political campaign of the recipient public employee.

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3.3.6 Honoraria or expenses paid for papers, talks, demonstrations, or appearances made by employees with the approval of their supervisor or on their own time for which they are not compensated by the College and which are not prohibited by state rules.