



**UNIVERSITY OF  
WEST GEORGIA**

Last N/A  
Approved  
Effective N/A  
Next Review N/A

Area Employment  
(Procedures)  
Responsible Chief Legal  
Party Officer

## Conflicts of Commitment and Interest

Authority for Procedure granted by UWG [PL #4001, Human Resources Administrative Practice and Services](#).

### A. Purpose

This procedure establishes the requirements and process for the disclosure, review, approval, and management of actual, potential, or apparent Conflicts of Interest, Conflicts of Commitment, and Compensated Outside Activities by employees of the University of West Georgia (UWG). It is intended to promote transparency, protect the integrity of University operations, and ensure compliance with applicable federal and state law and the policies of the University System of Georgia (USG) Board of Regents (BOR).

This procedure is adopted pursuant to the USG BOR Policy Manual § [08.02.18.02, Conflicts of Interest, Conflicts of Commitment, and Outside Activities](#), and HR Administrative Practice (HRAP) Manual [04.02 Conflicts of Interest, Conflicts of Commitment and Outside Activities](#) and [04.06 Gifts/Gratuities and Employee Expenses Paid by Vendors](#).

Approval under this procedure applies only to institutional requirements and does not constitute a determination of compliance with applicable federal or state law.

Employees are solely responsible for understanding and complying with all applicable laws, including Georgia ethics and Conflict of Interest statutes.

### B. General Requirements

Employees, including those engaged in research, grants, or external collaborations, are expected to exercise reasonable diligence in identifying and avoiding actual or apparent Conflicts of Interest and Conflicts of Commitment. Employees shall promptly disclose any personal, professional, or financial interests or activities that could influence, or appear to influence, their University duties and must obtain required approvals before engaging in activities subject to this procedure.

Employees shall not engage in any occupation, pursuit, or endeavor that interferes with the regular and

punctual discharge of their official duties.

## C. Disclosure Requirements

Employees have an ongoing responsibility to fully disclose any personal, professional, financial, or business interest, relationship, or activity that could create an actual, potential, or apparent Conflict of Interest or Conflict of Commitment related to their University responsibilities as soon as they become aware of the situation and before engaging in outside activities that require approval. This includes Conflicts involving personal, professional, financial, relational, or outside business interests that a UWG Employee or Family member has that could compromise, or appear to compromise, objectivity in carrying out University responsibilities.

Employees are responsible for complying with all applicable USG BOR policies and guidelines, State Conflict of Interest Statutes O.C.G.A. § 45-10-20 through § 45-10-70, and institutional policies/procedures and disclosure requirements of this procedure.

### 1. Disclosure Timing

Disclosures must be submitted:

- Prior to engaging in any Compensated Outside Activity requiring approval;
- When information contained in a previous disclosure form needs to be updated or modified;
- When circumstances change such that a new or revised conflict may exist;
- When the employee engages in a separate Outside Activity from the one previously reported; and
- Upon request of the University.

### 2. Examples of Reportable Activities or Interests

Examples include, but are not limited to:

- Ownership or financial interest in a vendor, contractor, or entity doing business with the University;
- Supervisory or decision-making authority involving a relative or close personal associate;
- Participation in procurement, contracting, hiring, or evaluation processes involving a personal interest;
- Receipt of compensation from an outside entity related to the employee's University expertise;
- Outside consulting or teaching activities;
- Service as an officer, director, trustee, or advisor for an outside organization;
- Use of University resources in connection with outside activities; or
- Any activity that could impair independent judgment or create the appearance of impropriety.

Questions regarding the classification or reporting of a potential Conflict of Interest or Conflict of Commitment should be directed to the Office of Legal Affairs at [legal@westga.edu](mailto:legal@westga.edu).

## D. Approval Requirements for Outside Activities

Employees must obtain prior written approval before engaging in Compensated Outside Activities when required under Board of Regents (BOR) policy or as specified below.

Approval is required for:

- **Full-time Staff** with a work commitment of **30 or more hours per week** (.75 FTE or greater); and
- **Faculty** on contracts of **nine months or longer**.

**Employees not listed above are not required to obtain prior approval unless the activity:**

- **Creates, or reasonably appears to create, a Conflict of Interest or Conflict of Commitment;** or
- **Otherwise implicates University resources, responsibilities, or relationships.**

All employees, regardless of approval requirements, must disclose Outside Activities in accordance with this procedure when a potential Conflict of Interest or Commitment exists.

Employees shall not begin an Outside Activity requiring approval until written approval has been received.

## E. Review & Management

### 1. Submission of Disclosures

Employees shall submit disclosures using the **UWG Employees Outside Activities Disclosure Form** to their immediate supervisor for review and forwarding to the Office of Legal Affairs, unless otherwise directed,

If disclosure to the immediate supervisor is not appropriate due to the nature of the conflict, the employee shall submit the disclosure form directly to the Office of Legal Affairs at [legal@westga.edu](mailto:legal@westga.edu).

Employees shall not begin a compensated outside activity requiring approval until written approval has been received.

### 2. Review and Evaluation

The UWG Ethics Officer shall conduct an initial review of disclosures **within five business days** to determine whether:

- A Conflict of Interest or Conflict of Commitment exists;
- The activity may proceed as disclosed;
- Additional information or documentation is necessary;
- Management measures or restrictions are necessary; or
- The activity must be approved, denied, modified, or discontinued.

**If additional time is necessary due to the complexity of the disclosure, the need for consultation, or**

**incomplete information, the Ethics Officer shall notify the employee that further review is required and provide a reasonable estimated timeframe for final determination.**

The Ethics Officer may request additional information or supporting documentation from the employee and may consult with other appropriate University offices, including Human Resources, Internal Audit, Purchasing Services, or other administrative officials, as necessary.

Failure by the employee to provide requested information or documentation in a timely manner may result in denial or discontinuation of the disclosed activity.

### **3. Management Measures**

When a Conflict of Interest or Commitment is identified, the University shall implement reasonable measures to reduce, eliminate, or manage the conflict and protect the integrity of University operations and decision-making.

Such measures may include, but are not limited to:

- Recusal from participation in decision-making, supervision, procurement, hiring, evaluation, or other University activities related to the conflict;
- Reassignment or modification of duties or responsibilities;
- Restrictions on access to confidential, proprietary, or sensitive information;
- Monitoring, reporting, or oversight requirements;
- Limitations on the scope, duration, or timing of outside activities;
- Divestiture of an individual's ownership or Financial Interests;
- Severance of relationships or activities creating the conflict; or
- Development and implementation of a written Management Plan.
- Placement of holdings in a blind trust for a specific period.

## **F. Management & Enforcement**

### **1. Compliance Requirements**

Employees shall not engage in a proposed outside activity until written approval is received. Approval may be revoked at any time, and the employee shall discontinue the activity immediately.

Failure to provide requested information may result in denial or discontinuation of the activity.

### **2. Management Plans**

Where appropriate, the Ethics Officer shall develop a written Management Plan in consultation with the employee and may seek input from relevant administrative officials.

The plan will outline the required conditions, restrictions, and oversight measures necessary to:

- manage the conflict,
- ensure compliance with applicable law, BOR policy, and University procedures, and

- protect the integrity of University operations and decision-making.

Employees must:

- Acknowledge and agree to the terms of the Management Plan in writing; and
- Comply with all conditions and restrictions as a condition of engaging in the approved activity.

## **a. Final Determination**

The Ethics Officer shall provide written notice of the determination, including any required Management Plan or conditions, to the employee and appropriate administrative officials, which may include the employee's supervisor, Dean, department head, or Human Resources.

Employees shall not engage in a proposed outside activity requiring approval until written approval is received. If approval is revoked by the Ethics Officer, the employee shall discontinue the activity immediately.

## **3. Internal Review and Compliance Monitoring**

The Ethics Officer may periodically review disclosures, approved outside activities, and Management Plans to ensure:

- Relevant conflicts have been properly disclosed and managed;
- Approved conditions and restrictions are being followed; and
- Institutional conflict disclosure and management processes remain effective and compliant.

## **4. Failure to Disclose and Other Violations**

Failure to timely disclose a Conflict of Interest, Conflict of Commitment, or reportable Outside Activity; failure to obtain required prior written approval; or failure to comply with an approved Management Plan may result in corrective or disciplinary action, up to and including termination of employment, in accordance with applicable UWG and BOR policies.

Violations may include, but are not limited to:

- Failure to comply with the disclosure, review, or evaluation requirements established under this Procedure, including failure to timely disclose an actual, potential, or apparent conflict of interest or commitment;
- Failure or refusal to provide requested information or supporting documentation related to a disclosure;
- Submission of incomplete, misleading, or knowingly inaccurate information;
- Failure to comply with the terms, conditions, restrictions, or monitoring requirements of an approved Management Plan; or
- Failure to obtain required prior written approval before engaging in a compensated Outside Activity or other activity requiring approval under this Procedure or applicable BOR policy.

## **5. Sanctions**

Possible sanctions for violation of this procedure by a UWG Employee may range from administrative intervention to termination of employment, all in accordance with applicable UWG policies and procedures.

Sanctions may be applied for violations described in this section and will be determined based on the nature, severity, and frequency of the violation.

## **G. Special Approval and Reporting Requirements**

### **1. Senior Administrators and Presidential Direct Reports**

Direct reports of the UWG President and those with the title of Vice President or equivalent seeking to participate in compensated outside activities must forward their request through the President's Office to the University System of Georgia (USG) Office of Ethics and Compliance using the appropriate USG form. See [USG HR Administrative Practice \(HRAP\) Manual, 04.02 Conflicts of Interest, Conflicts of Commitment and Outside Activities](#).

### **2. Dual Appointed Employees**

Employees with Dual Appointments should disclose any Conflicts of Interest to the Home Institution as defined by the [USG HR Administrative Resources Practice \(HRAP\) Manual 02.02 Dual Appointments](#).

### **3. State of Georgia Reporting**

Pursuant to O.C.G.A. § 45-10-26, public officials and employees who transact business with the State of Georgia or any state agency may be required to file an annual disclosure statement with the [Georgia State Ethics Commission](#) no later than January 31 of each year. Disclosure is generally not required when each transaction is less than \$250, and the aggregate amount of all transactions does not exceed \$9,000 during the calendar year.

Employees subject to the disclosure requirements of O.C.G.A. § 45-10-26 shall file the required State Business Transaction Report with the Georgia State Ethics Commission no later than January 31 of each year using the form prescribed by the Commission.

Additional information and reporting forms are available through the [Georgia State Ethics Commission](#).

## **H. Conflict of Commitment and Outside Activities**

### **1. Volunteer Guidance**

Volunteer activities, including participation in church, civic, or community organizations, generally do not require disclosure or approval unless the activity creates an actual or apparent Conflict or relates to the

employee's University responsibilities. Faculty activities occurring outside an academic contract period are generally not subject to disclosure requirements. Employees with questions regarding disclosure requirements should contact the Office of Legal Affairs at [legal@westga.edu](mailto:legal@westga.edu).

## 2. Staff Outside Activities

The University President designates the UWG Ethics Officer to review and approve or deny Outside Activities. The Ethics Officer may determine that otherwise permissible activities are inappropriate in scope, duration, or impact on University responsibilities and shall exercise such discretion equitably and consistently.

All Staff must use appropriate leave for Outside Activities occurring during scheduled work hours consistent with University leave procedures. [See UWG PL 4005, Employee Leave](#). [See BOR Policy Manual § 08.02.18.04, Gratuities](#).

[Staff may not receive Honoraria for outside activities during work hours](#). [See BOR Policy Manual § 08.02.18.04, Gratuities](#).

## 3. Faculty Outside Activities

Recognizing that teaching, research, and public service are Faculty Primary Responsibilities, Faculty are encouraged to engage in professional activities consistent with their discipline and expertise, provided such activities do not interfere with assigned UWG teaching, research, service, clinical, or administrative responsibilities during the contract year.

With prior written approval from the Ethics Officer, Faculty on nine-month or twelve-month appointments, including those with summer teaching responsibilities, may engage in Compensated Consulting activities during or outside normal work hours, so long as the Consulting schedule does not interfere with the UWG teaching or administrative schedule.

Twelve-month Faculty may engage in Consulting activities during work hours for up to one day per week. This limitation is averaged over time, not a hard cap, of confining any Consulting activities to one calendar day. The one-day-per-week limitation does not apply outside a nine-month Faculty contract period.

Unless advance written approval is granted by the University President, whose authority may not be delegated, twelve-month Faculty serving in administrative positions may engage in Consulting activities up to one day per week outside normal work hours.

Twelve-month Faculty must use annual leave for Consulting activities occurring during normal work hours consistent with University leave procedures.

## 4. Vendor Relationships

In addition to general Conflict of Interest disclosure requirements, relationships with University vendors are subject to heightened restrictions due to the elevated risk of improper influence or perceived bias. See USG HRAP Manual 04.06 Gifts/Gratuities and Employee Expenses Paid by Vendors.

UWG Employees are generally prohibited from receiving Compensation from, Consulting for, or otherwise

engaging in Compensated activities with a current University vendor or an entity seeking a vendor relationship with UWG.

## a. Limited Exceptions

The Ethics Officer may grant a written exception only if:

- The employee does not supervise, select, evaluate, or manage the vendor relationship; and
- The activity presents no actual, potential, or apparent Conflict of Interest that cannot be effectively managed.

Requests for exception must be submitted in writing to [legal@westga.edu](mailto:legal@westga.edu) and approved in advance.

## b. Relationship to Disclosure Requirements

Disclosure of a vendor-related interest **does not, by itself, permit the activity.**

All such relationships are subject to this section's restrictions and require explicit written approval where an exception is granted.

# I. Conflict of Interest

A Conflict of Interest exists when an employee is in a position to influence University business, research, procurement, personnel actions, or other institutional decisions in a manner that could result in personal, professional, or financial gain for the employee, the employee's Family, or others, to the detriment of the University's integrity, mission, or operations. (See Section B.2 for examples.)

## 1. Business and Financial Interests/Transactions

Employees must disclose potential Conflicts before participating in the award, negotiation, review, recommendation, approval, or administration of any University business transaction involving:

- An entity in which the UWG Employee or their Family member, including individuals living in the same household as the UWG Employee, has a Financial Interest; or
- An individual who is a Family member or resides in the UWG Employee's household (related or unrelated).

Certain transactions involving University Employees or their Family and the State of Georgia or other units of the University System of Georgia (USG) may be prohibited by law. Employees are solely responsible for understanding their obligations as a State employee and complying with applicable Georgia ethics and Conflict of Interest laws. Approval under this procedure does not constitute a determination of legal compliance under State law.

## 2. Use of University Resources

University facilities, equipment, services, systems, electronic resources, personnel time, and institutional branding may only be used to support University purposes. UWG resources may not be used for improper personal gain or to imply University endorsement of an Outside Activity.

Employees may not use University facilities, resources, equipment, or services in connection with Outside Activities except in a purely incidental way or as stated herein or as otherwise authorized by University policy.

UWG Employees or commercial entities in which the UWG Employee has a Financial Interest may access UWG facilities or equipment on the same terms and conditions available to non-University users or as otherwise authorized by University policy. For more information on reserving UWG facilities, visit [Reserve West](#).

### **3. External Employment of Students**

To avoid any perceived or actual conflict of interest, UWG employees, who are in a position of authority over UWG students, must ensure that students are treated fairly and compensated appropriately for the work performed.

Employees shall exercise caution when employing or offering outside employment opportunities to current UWG students, particularly students whom the employee teaches, supervises, advises, or evaluates.

Employees shall ensure that students are treated fairly, compensated appropriately, and not subjected to actual or perceived coercion or Conflicts of Interest.

Faculty may not assign students, postdoctoral fellows, or trainees to projects sponsored by a business in which the Faculty member or the Faculty member's Family has a Financial Interest where the student or trainee would reasonably feel unable to refuse participation.

### **4. Research Activities**

UWG promotes objectivity in research and requires that sponsored research activities be conducted free from bias resulting from financial Conflicts of Interest. Employees, including those engaged in research, grants, or external collaborations, shall make every reasonable effort to avoid actual or apparent Conflicts of Interest and promptly disclose any personal, professional, or financial interests or activities that could influence, or appear to influence, their University duties.

Full-Time Faculty are prohibited from having significant managerial or programmatic roles, including as an investigator, on sponsored projects submitted and managed solely through another institution or business. Such activities should be funded through a consortium relationship between institutions via sub-awards and are considered part of the normal Faculty workload.

Employees participating in externally sponsored research, instruction, or service activities must also comply with applicable UWG research policies and procedures. (See UWG PL [2014 Research and Sponsored Projects](#) policy).

### **5. Political Activities and Use of Position**

Employees must separate political activity from their official University duties and ensure it is conducted in a personal capacity only.

Employees shall not:

- Use state resources, work time, institutional email, or trademarks for political purposes;
- Imply University endorsement of political activity; or
- Use their position to influence political activity.

Political activity must not interfere with job responsibilities. Employees may not hold state or federal elected office. Employees pursuing such office must take unpaid leave during candidacy and resign if elected. Local or appointed office may be held only if it does not conflict with University duties.

Employees may not condition employment, admission, or benefits on political beliefs or affiliations.

## 6. Gratuities

Employees must not solicit or accept gifts, gratuities, or anything of value intended to influence official actions or decisions.

Employees are prohibited from accepting gifts from vendors or lobbyists except as permitted by law and BOR policy.

Employees must:

- Comply with applicable gift restrictions;
- Obtain required approvals for permissible business-related expenses; and
- Promptly return or properly transfer any prohibited gifts received.

## J. Records Retention and Confidentiality

Disclosure forms, approvals, management plans, and related documentation shall be maintained by Office of Human Resources (OHR) in accordance with applicable [USG Records Retention Schedules](#) or federal requirements, whichever is longer.

The University shall make reasonable efforts to maintain confidentiality of disclosures to the extent permitted by law.

## Definitions

**Actual Conflict of Interest** - A situation in which an employee is in a position to influence, either directly or indirectly, University business, research, or other decisions in ways that could lead to gain for the employee, the employee's family, or others to the detriment of the University's integrity and its mission of academic excellence, research, and public service.

**Apparent Conflict of Interest** - A situation in which a reasonable person could conclude that an employee's ability to protect the public interest or perform official duties is compromised by a personal, professional, financial, or business interest, even if no actual conflict exists.

**Compensated Outside Activity** - Any outside consulting, teaching, speaking, professional service, business participation, or similar activity for which an employee receives compensation and that relates

to the employee's expertise or responsibilities as a University employee. Compensation does not include Honoraria.

**Conflict of Commitment** - A situation in which the aggregate time an employee devotes to outside activities, employment, or pursuits interferes with the employee's ability to meet their University duties and responsibilities. Examples of Conflicts of Commitment include, but are not limited to: outside employment, consulting, political/public service, etc.

**Consult (consulting)** - to engage in any Outside Activity for Compensation other than Faculty Primary Responsibilities or Faculty Secondary Responsibilities that (1) is based upon professional knowledge, experience, and abilities of the Faculty, and (2) is performed for any business, self-employment, or public or private entity other than UWG.

**Ethics Officer** - UWG General Counsel or designee.

**Faculty Primary Responsibilities** - teaching, research, clinical practice, service, administrative duties, and other appropriate duties assigned by UWG to the Faculty.

**Faculty Secondary Responsibilities** - professional activities or affiliations traditionally undertaken by faculty outside of the immediate UWG employment, but where the Faculty represents UWG and their affiliation to it. Secondary Responsibilities may or may not entail the receipt of Honoraria, remuneration, or reimbursement of expenses.

**Family** - a UWG employee's spouse, partner, parent, child, sibling, and any in-laws of the foregoing.

**Financial Interest** - anything of monetary value or potential monetary value.

**Full-time Faculty** - faculty members on contracts of nine months or more

**Full-time Staff** - a non-faculty employee with a work commitment of 30 or more hours per week (.75 or more FTE). Graduate Assistants are excluded from this definition.

**Honoraria** - any payments given for professional or voluntary services that are rendered nominally without charge, and any payments in recognition of these services typically forbid a price to be set.

**Household Member** - Any individual residing in the employee's household, whether related or not.

**Management Plan** - a plan that may include, but is not limited to, any restrictions, conditions, monitoring requirements, or other management measures necessary to reduce, eliminate, or appropriately manage the conflict.

**Part-time Staff** - a non-faculty employee with a work commitment of 29 or fewer hours per week (less than .75 FTE). Graduate Assistants are excluded from this definition.

**Part-time Faculty** - those Faculty considered to be less than full-time or on a contract term of less than nine months per year.

**UWG Employee** - a full-time or part-time faculty or staff employee or visiting faculty. Graduate Assistants are excluded from this definition.

# Guidelines/Related material

- [O.C.G.A. § 16-10-6](#), Sale of real or personal property to political subdivision by local officer or employee; exceptions; limitation of civil liability
- [O.C.G.A. § 45-10-20 et seq](#), Public Officers and Employees, Codes of Ethics and Conflicts of Interest.
- [USG BOR Policy Manual](#)
  - 08.02.18.02.01 Conflicts of Interest and Apparent Conflicts of Interest
  - 08.02.18.02.02 Conflicts of Commitment
  - 08.02.18.02.03 Outside Activities
  - 08.02.18.02.04 Institution Guidelines for Faculty Outside Consulting
  - 08.02.18.03 Prohibition of Certain Political Activities; Non-Official Endorsement or Affiliation and Avoidance of the Appearance Thereof
  - 08.02.18.04 Gratuities
- [USG Human Resources \(HR\) Administrative Practice Manual](#)
  - 02.02 Dual Appointments
  - 04.02 Conflicts of Interest, Conflicts of Commitment and Outside Activities
  - 04.06 Gifts/Gratuities and Employee Expenses Paid by Vendors
  - 04.10 Leaves
- [USG Records Retention Schedules](#)
- [UWG PL 4005, Employee Leave procedure](#)

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## Attachments

[📎 OUTSIDE ACTIVITIES DISCLOSURE FORM.pdf](#)

## Approval Signatures

Step Description	Approver	Date
	Tara Pearson	09/2022
Chief Human Resources Officer	Terri Walthour [TD]	09/2022