



Policy Directory

Responsible Division: Finance and Administrative Services
Responsible Office: Human Resources
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Conflicts of Interest/Secondary Employment/Gifts and Favors

Policy:

Mississippi law requires all Alcorn State University employees to abide by certain conflict of interest and ethical standards as public employees. All University employees have both a legal and ethical obligation to comply with all applicable ethics in government laws, [Miss. Code Ann. §§ 25-4-101 et seq. (1972); §109, Miss. Const. of 1890].

Specifically, no Alcorn State University employee may use his/her position at the University to obtain or attempt to obtain a financial benefit for him/herself (other than the employee's compensation as a University employee), a family member, or any business with which the employee or family member is associated. Subject to certain limited exceptions, a conflict of interest would include the following:

1. An employee that has direct or indirect involvement in the procurement of goods or services on behalf of the University and the employee or his/her relative has a financial interest in the procurement.
2. An employee has direct or indirect involvement in the procurement of goods or services on behalf of the University from a business in which the employee or the employee's relative has a material financial interest.
3. An employee has direct or indirect involvement in the procurement of goods or services on behalf of the University from a business or person with whom the employee or a relative is negotiating or has arranged prospective employment.
4. An employee procuring goods or services from the University at an auction or at a sale when the goods or services are not offered to the general public at a uniform price.

In addition, no employee may intentionally use or disclose information gained through his/her employment at the University that could result in financial benefit to the employee, a relative of the employee, or any other person, if the information has not been communicated to the public or is not public information.

The above general prohibitions do not include all prohibitions under Mississippi ethics laws. However, they set the standard for University employees in complying with applicable ethics laws. Alcorn State University employees should also be mindful of other University policies that pertain to ethics in procurement and contracting.

A violation of state ethics laws could result in repayment of funds by the employee, civil fines, and/or criminal prosecution. An employee who violates state ethics laws may also be subject to disciplinary action, up to and including termination.

Disclosure of Secondary Employment

It is expected that Alcorn State University is the primary employer of full-time University employees. As such, employees must be available for and devote their full attention to assigned duties and responsibilities during scheduled working hours. External activities, including secondary employment, can lead to conflicts of interest with regard to an employee's responsibilities to Alcorn State University. Therefore, full-time employees must certify annually that secondary employment will not interfere with their employment at Alcorn State University. Additionally, employees with emergency response responsibilities must be reasonably available during non-scheduled hours.

The following rules and guidelines are established for all full-time employees:

1. All employees are required to complete and sign a Conflicts of Interest Policy Acknowledgment form upon hire, and as this policy is updated or amended.
2. Employment with Alcorn State University will be the employee's primary responsibility and obligation, with any other approved employment deemed secondary.
3. The demands or requirements of secondary employment may not be considered an excusable reason for absences, tardiness, poor performance, or other areas of personnel concern.
4. Prior to seeking or accepting secondary employment, full-time employees must discuss the secondary job with his/her supervisor and/or department head to determine whether or not the job is considered a "conflict of interest" as previously defined herein.
5. Current and newly hired employees considering secondary employment must submit a request, in writing, to the supervisor and/or department head for approval, and must secure and present an approved **Conflicts of Interest Disclosure Form** to the Office of Human Resources prior to engaging in the secondary employment. Final approval of the President/IEO is required.
6. A **Conflicts of Interest Disclosure**, approved by the University President/IEO must be placed on file in the Office of Human Resources annually.

The following are examples of conflicts of interest requiring employee disclosure. These examples are illustrations only, and are not all inclusive.

1. Employee or immediate family member owns, in whole or in part, a business entity with which Alcorn State University does, or proposes to do business, and the employee is in a decision-

making role or otherwise in a position to influence the University's business decisions regarding the business entity.

2. Employee holds or assumes an executive, officer, or director position in a for-profit or not-for-profit business or entity engaged in commercial, educational, or research activities similar to those in which the University engages.
3. Employee participates in consultation activities for a for-profit or not-for-profit business or entity engaged in commercial, educational, or research activities similar to those of the University.
4. The following are examples of business entities for which employee disclosure is required:

Accounting Architectural Services
Athletic Equipment Services
Catering
Consulting
Counseling
Financial Services
Grant Preparation
Laboratory Services
Lawn and Grounds Services
Legal Services
Office Supplies
Painting Services
PC or Other Hardware Services
Programming
Temporary Personnel Services

Gifts and Favors

Vendor gifts exemplify the kinds of conflict of interest that could potentially arise. Potentially self-dealing conflicts are possible when employees accept gratuities or special favors from any organization doing business with Alcorn State University, where the offering or acceptance of such gratuities or special favors could be viewed as potentially interfering with the employee's proper discharge of his/her responsibilities to the University.

It is the policy of Alcorn State University that employees will not accept gifts or favors from current or potential vendors or contractors of the University, with the following acceptable exceptions:

1. Gifts of advertising items or souvenirs of nominal value
2. Meals furnished at University approved business and educational meetings, conferences, etc.,
3. Gifts that cannot be returned as a practical matter, such as food and gift baskets
4. Gifts of minimal value, such as mugs, tote bags, and other promotional items