

BOARD POLICY

WESTERN IOWA TECH COMMUNITY COLLEGE

Series Number 400.36

Title All Personnel

Employee Conflict of Interest

An employee's use of his/her position with the College for financial gain shall be considered a conflict of interest and may subject him/her to disciplinary action up to and including termination.

Employees have access to information and a captive audience that could award the employee personal or financial gain. No employee may solicit other employees or students for personal or financial gain to the employee without the approval of the President. If the approval of the President is given, the employee must conduct the solicitations within the conditions set by the President. Further, the President may, upon five days' notice, require the employee to cease such solicitations as a condition of continued employment.

Full-time and part-time employees shall not:

- act as an agent or dealer for the sale of textbooks, equipment, educational services or other school supplies.
- participate for personal financial remuneration in outside activities wherein their position on the staff is used to sell goods or services to students or to parents.
- engage in outside work or activities where the source of information concerning the customer, client, or employer originates from information obtained because of the employee's position with the College.
- serve on a board of directors of, and shall not be employees of, a firm or corporation which provides supplies and services to College students or employees, if the employees receive remuneration, direct or indirect, because of such business.

It shall also be a conflict of interest for an employee to engage in any outside employment or activity which is in conflict with the employee's official duties and responsibilities. In determining whether outside employment or activity of an employee creates a conflict of interest, situations in which an unacceptable conflict of interest shall be deemed to exist shall include, but not be limited to, any of the following:

1. The outside employment or activity involves the use of the College's time, facilities, equipment, and supplies or the use of the College's logo, uniform, business car, or other evidences of office to give the employee or the employee's immediate family an advantage or pecuniary benefit that is not available to other similarly situated members or classes of members of the general public. For purposes of this section, a person is not "similarly situated" merely by being related to an employee who is employed by the College.
2. The outside employment or activity involves the receipt of, promise of, or acceptance of money or other consideration by the employee or a member of the employee's immediate family from anyone other than the College for the performance of any act that the employee would be required or expected to perform as part of the employee's regular duties or during the hours during which the employee performs service or work for the College.
3. The outside employment or activity is subject to the official control, inspection, review, audit, or enforcement authority of the employee during the performance of the employee's duties.

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Employee Conflict of Interest (cont.)

If the outside employment or activity is employment or activity in (1) or (2) above, the employee must cease the employment or activity. If the activity or employment falls under (3), then the employee must:

- Cease the outside employment or activity; or
- Publicly disclose the existence of the conflict and refrain from taking any official action or performing any official duty that would detrimentally affect or create a benefit for the outside employment or activity. Official action or official duty includes, but is not limited to, participating in any vote, taking affirmative action to influence any vote, or providing any other official service or thing that is not available generally to members of the public in order to further the interests of the outside employment or activity.

It shall be the responsibility of each employee to be aware of and take the necessary action to eliminate a potential conflict of interest should it arise.

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§§ 20.7; 68B; 279.8; 301.28 (1995).

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Related Administrative Procedures and Cross References _____

