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Policy

University Policy HR-15.04-07/21

TO: The University of West Florida Community

FROM: Dr. Martha D. Saunders, President

SUBJECT: Employee Code of Conduct

Responsible Office: Human Resources

I. Policy Statement

A. The University of West Florida encourages its Employees to engage in activities supporting their professional growth, creating new knowledge and ideas, and furthering the University's mission of excellence in teaching, research, and service. University Employees' primary professional obligation, however, is to act in the best interest of the University and to maintain the highest ethical and professional standards. Accordingly, this Policy establishes standards and requirements to protect the University's financial well-being, reputation, and legal obligations and provides a system for identifying, reporting, and managing real or apparent conflicts.

B. The policies and requirements of Chapter 112, Part III, Florida Statutes, "Code of Ethics for Public Officers and Employees," shall apply to all UWF employees whether or not they are members of a bargaining unit, and includes the following prohibited actions or conduct:

1. Solicitation and Acceptance of Gifts. University employees may not solicit or accept anything of value, such as a gift, loan, reward, promise of future employment, favor or service, that is based on an understanding, or creates a reasonable perception, that their vote, official action, or judgment would be influenced by such gift. Invitations to attend complimentary conferences or events sent by vendors and lobbyists directly to employees are considered personal gifts to the employee under state statute. Employees receiving such an invitation should direct the vendor or lobbyist to submit the invitation to an appropriate designated University official in your area, so that it is clear the invitation is made to the University and not the employee. The University official can then select, or designate a member of management to select, which employee(s) could attend the complimentary conference or event.

2. Any gift from a political committee.

3. Anything of value from a lobbyist or vendor

C. Unauthorized compensation. University employees, their spouses and minor

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children may not accept any compensation, payment, or thing of value when they know, or should know, that it is given to influence a vote or other official action.

D. Misuse of Public Position. University employees may not use or attempt to use their official position or any property or resource that is within his or her trust to obtain special privilege, benefit, or exemption for themselves or others.

E. Disclosure or Use of Information. University employees (including former employees) may not disclose or use information not available to the public and obtained by the reason of their position, for the personal benefit of themselves or others.

F. An employee may accept an honorarium and related travel expenses for themselves and their spouse if the amount is reasonable and consistent with fair market value for time spent in preparation for the event. A Reporting Individual or procurement employee is prohibited from soliciting an honorarium, which is related to their public office or duties, or knowingly accepting an honorarium from a political committee, a lobbyist, or a vendor doing business with the University. A Reporting Individual who receives payment or provision of expenses related to any honorarium event from a person who is prohibited in the paragraph above, will need to disclose the particulars in their annual statement of reporting. The annual statement of a procurement employee must be filed with the Florida Commission on Ethics. For purposes of this Policy an Honorarium is a payment of money or anything of value to an employeefor:

1. A speech, address, oration, or other oral presentation by the reporting individual or procurement employee, regardless of whether presented in person, recorded, or broadcast over the media.

2. A writing by the reporting individual or procurement employee, other than a book, which has been or is, intended to be published.

3. The term “honorarium” does not include the payment for services related to outside employment, or ordinary payment of salary for services related to the employee’s public duties. The term also does not include actual and reasonable travel and food expenses or registration fee for an employee and spouse that are related to the honorarium.

G. Solicitation or Acceptance of Honoraria. University employees are prohibited from soliciting honorariums and travel expenses for themselves and their spouse. The University may accept an honorarium on behalf of an employee for travel expenses and lodging associated with an event.

H. Doing Business with One’s Agency. University employees acting in their official capacity are prohibited from directly or indirectly purchasing, renting, or leasing any realty, goods, or services for the University from a business entity in whichthe employees or their spouses or children serve as an officer,

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partner, director, or proprietor, or own more than a 5% interest. Employees, acting in their private capacity, are also prohibited from renting, leasing, or selling any realty, goods, or services to the University.

I. Contractual Services: Prohibited Employment. University employees who participate in the decision-making process involving a purchase request, who influence the content of any specification or procurement standard, or who render advice, investigation, or auditing regarding the University's contract for services, may not be employed by a person holding such a contract with the University.

J. Additionally, Florida Statute§. 104.31 states that employees may not use their position to interfere with an election, to command, coerce, or advise any other employee to contribute towards any political purpose, or advise where he or she might purchase commodities or interfere in any other way with the personal right of employees. Further, employees may not participate in any political campaign for an election while on duty.

III. Who Does this Govern and Who Needs to Know this Policy?

Sections I. through VII. of this Policy apply to all University employees, irrespective of bargaining unit, pay plan, rank, or employment status. Students and Adjuncts need to complete the outside activity-conflict of interest form only if they are funded to participate in the design, conduct, and reporting of research or other types of sponsored projects.

IV. General Provisions.

A. The Florida Commission on Ethics also requires individuals who are identified under Florida Statute §112.3145 as reporting individuals, to submit to the Commission a disclosure of their financial interests within 30 days of appointment, annually by July 1, and within 60 days after leaving their position. Employees considered reporting individuals will be notified of their status by a member of the Human Resources Department.

B. No employee shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature that is in conflict with the full and competent performance of the employee's duties or is in conflict with the best interests of the University.

C. Employees shall not engage in conduct that is dishonest or fraudulent.

D. Employees shall not solicit or accept anything of value to the employee which is intended to influence or is in exchange for any University-related action on the employee's part.

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E. Failure to comply with the requirements set forth herein can subject an employee to disciplinary action under the University's Employment Policies and/or applicable collective bargaining agreement provisions.

V. Employment of Relatives (Nepotism).

A. Florida Statute § 112.3135 prohibits a University employee from appointing, employing, promoting, or advancing, or advocating for appointment, employment, promotion, or advancement, in or to a position at the University who is a relative (as defined in paragraph VI.B. below) of the University employee. Employment of related persons, as defined in paragraph VI.B. below, in a single organizational unit or in a work-related organizational unit is permitted, provided that such employment shall not involve a conflict of interest, including, but not limited to participation by the relative in making recommendations or decisions specifically affecting the appointment, hiring, retention, tenure, work assignments, evaluation, promotion, demotion or salary of the related person. Prior to the employment of relatives or a change in reporting structure of an existing employee which would result in a conflict of interest, the Vice President responsible for the organizational unit shall determine and document, in writing, a conflict management plan that manages, mitigates, or eliminates the conflict; and shall proceed to require the implementation of the plan.

B. Relative includes the following family members: father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, spouse, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother half-sister, grandchild, or grandparent. For purposes of this Policy, relative also includes an individual who shares a domicile with the employee.

VI. Political Activity.

A. An Employee who intends to seek election to or holds public office must report this as an outside activity and obtain approval in the manner set forth in section (6) of this Policy. In addition, the employee must advise the President/designee of his or her intent to seek public office or for employees who are already in public office, the existence of their public office commitment. Such employees are also required to comply with the provisions of Section 104.31, Florida Statutes.

B. The President/designee shall determine whether the employee's candidacy for and holding of public office will interfere with the full discharge of the employee's duties and, if appropriate, may require the employee to take a leave of absence or submit a resignation.

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VII. Drug Free and Smoke Free Workplace.

A. Employees are required to comply with all Federal and State laws, municipal ordinances, as well as University policies and regulations concerning alcoholic beverages, drugs, and smoking on University property or as part of any University activity.

B. The University prohibits the unlawful possession, use, manufacture, or distribution alcohol or controlled substances/illicit drugs by employees in or on University property or as part of any University activity.

C. In accordance with the federal drug and alcohol abuse prevention law, 20 USC § 1011i, the University will impose disciplinary sanctions, up to and including termination, on employees for failure to comply with Section (4)(a) or (4)(b)above.

D. Employees are required to comply with the Florida Clean Indoor Air Act and University regulations and policies concerning smoking on University property or as part of any University activity.

1. The Florida Clean Indoor Air Act prohibits smoking in an enclosed indoor workplace. Employees who violate this law are subject to disciplinary sanctions up to and including termination.

2. Reference is made hereby to applicable University policies regarding and prohibiting smoking on all University property whether indoors or outdoors.
3. The smoking of electronic cigarettes or vaping devices in any University facility is prohibited.

E. Other Applicable Regulations. Any employee who accepts compensation for outside employment shall comply with the applicable requirements of Section 112.313, Florida Statutes.

APPROVED: DocuSigned by: Martha Saunders D54A387C376848D... **Date:** 07/08/2021

Dr. Martha D. Saunders, President

Authority and Related Documents:

20 U.S.C § 1011i; Sections 104.31, Florida Statutes; Chapter 110, Chapter 112, Part III, and Chapter 386, Part II, Florida Statutes; Florida Board of Governors Regulation 1.001; and applicable Collective Bargaining Agreements.

History:

HR 15.00-2004/07 Employee Code of Ethics, adopted July 2004; amended June 2016; amended August 2020, amended hereby July 2021.