

# University Guide to the State Code of Ethics

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## UNIVERSITY OF CONNECTICUT GUIDE TO THE STATE CODE OF ETHICS

### PURPOSE

Pursuant to state law, the University is required to adopt in cooperation with the Office of State Ethics, an ethics statement as it relates to the mission of the University. The Code of Ethics for Public Officials (Connecticut General Statutes Section 1-79 et seq.) sets forth principles of ethical conduct that all state employees, including employees of the University, must observe. All employees of the University are expected to become familiar with the Code and are expected to comply with all of its provisions. This statement is intended to be a general guide to assist you in determining what conduct is prohibited so that it may be avoided. It is not intended to supersede the Code of Ethics for Public Officials. Please note that under state statute, compliance with the Code is the responsibility of the employee, not the University.

The Office of State Ethics has jurisdiction to interpret and enforce the Code. Violations may result in a formal complaint proceeding filed against the employee and sanctions of up to \$10,000 per violation. The entire Code and regulations, as well as a summary of these rules, may be found at the web site for the Office of State Ethics, [www.ethics.state.ct.us](http://www.ethics.state.ct.us). For formal and informal interpretations of the Code of Ethics, employees should contact the Office of State Ethics. In addition, the University must designate an Ethics Liaison Officer as an information resource regarding compliance. An employee who has a question or is unsure about the provisions of this policy, or who would like assistance in contacting the Office of State Ethics, should contact the University's Ethics Liaison Officer.

**Please note: Violations of the Code of Ethics may subject an employee to sanctions from agencies or systems external to the University. Whether this occurs or not, the University retains the right to independently review and respond administratively to violations. The conduct of the review and response will be in accordance with contractual and regulatory guidelines.**

The following general provisions of the Code of Ethics are applicable to all employees of the University of Connecticut:

### CONFLICT OF INTEREST

- **GIFTS:** In general, employees are prohibited from accepting gifts, discounts or gratuities of any kind from donors: (1) doing business with or seeking to do business with the University; (2) directly regulated by the University; (3) known to be a registered lobbyist or a lobbyist's representative, or; (4) pre-qualified under Conn. Gen. Stat. §4a-100. A list of registered lobbyists can be found on the web site of the Office of State Ethics. Certain items are excluded from the definition of "gift," including: items offered to the public at large (for example, trinkets provided at an open house), items valued at under \$10, food and beverage up to \$50 in a calendar year from each donor and training for a product purchased by the University

provided such training is offered to all customers of that vendor. “Gifts to the state” are also permitted unless earmarked for travel or conference expenses. If an employee is offered a benefit from someone other than the prohibited donors listed above, and the benefit is offered because of the employee’s position at the University, the total value of benefits received from one source in a year must not exceed \$100. Additionally, supervisors may only accept gifts valued at no more than \$100 from a subordinate; a subordinate may only accept gifts valued at no more than \$100 from his/her supervisor. Questions regarding specific facts and circumstances surrounding various gift-giving scenarios should be directed to the University’s Ethics Liaison or the Office of State Ethics.

- **OUTSIDE EMPLOYMENT:** No employee may accept outside employment that will impair his or her independence of judgment with regard to his/her state duties or would encourage the disclosure of confidential information gained in state service. Additionally, although an employee may use his/her expertise, he/she may not use his/her state position to obtain outside employment. An employee is not allowed to use his/her business address, telephone number, title or status in any way to promote, advertise or solicit personal business. Employees interested in pursuing outside employment may seek and receive written approval from their Department Head and, if uncertain about the application of the Code, the Office of State Ethics. For faculty and professional staff, the University of Connecticut Laws and By-Laws specifically address consulting, private professional practice, teaching, and other outside employment situations. (See policy at <http://www.policy.uconn.edu/Bylaws070109.pdf>). Members of the AAUP bargaining unit must adhere to the University’s policy on assigning textbooks which they have authored. (See policy at: <http://policy.uconn.edu/findPolicy.php?PolicyID=252>). Union members are referred to contract articles, if such exist, relating to outside employment in their respective collective bargaining agreements. If you are thinking about an opportunity for outside employment, you may also consult with the University’s ethics liaison for guidance.
- **FINANCIAL BENEFIT:** Employees may not use their official position or confidential information gained in their service for personal financial benefit, or the financial benefit of a family member or a business with which they, or a family member, are associated. Employees are prohibited from using state time, personnel or materials, including telephones, computers, e-mail systems, fax machines, copy machines, state vehicles and any other supplies, for personal, non-state related purposes. It is understood, however, that incidental use of state property for personal use is permissible so long as you reimburse the state for any identifiable charges.
- **CONTRACTS WITH THE STATE:** Employees, their immediate family members, and/or a business with which an employee or his/her family member is associated may not enter into a contract with the state valued at \$100 or more, unless the contract has been awarded through an open and public process. The Office of State Ethics has ruled that immediate family members may not be hired as an independent contractor unless there has been an open and public process.
- **APPEARANCE FEES:** No employee may personally accept any fee or honorarium given in return for a speech or appearance made or article written in the employee’s official capacity.

You may, however, direct that the fee or honorarium be deposited in a University account to be used for future University-related business activities. Necessary expenses to participate in a particular event may be acceptable under certain circumstances and, if received from a non-governmental entity, may also require the filing of a disclosure form with the Office of State Ethics. "Necessary expenses" are limited to: necessary travel expenses, lodging for the nights before, of and after the appearance, speech, or event; meals and any related conference or seminar registration fees.

The paramount issue to be considered is whether the activity in question is performed in an employee's "official capacity." As a general rule, if a university employee is asked to participate in an event, speak, appear, or write an article and the employee's official position or authority was a significant factor in the decision to extend the invitation, then it will be deemed to be in his/her official capacity. If, however, a state employee has developed an expertise in a particular field and he/she is asked to participate in an event, speak, appear, or write an article as a result of his/her knowledge and expertise, then the employee is not prohibited from accepting a fee or honorarium. Note that these situations are very fact specific and employees are encouraged to contact the University's Ethics Liaison for guidance.

## **POLITICAL ACTIVITY**

1. Employees are not prohibited from seeking political office as long as it is not done on State time or with State equipment. However, any State employee who is elected to state political office may not be employed by two branches of state government simultaneously. Therefore, any employee who accepts an elective state office must resign or take a leave of absence from his/her position with the University. Consult the University Laws and By-Laws and inform your supervisor prior to participating in a political campaign.
2. No employee of the University will engage in partisan political activities while on state time. Additionally, no employee will use state materials or equipment for the purpose of influencing a political election of any sort.

## **MISCELLANEOUS: CONFIDENTIAL INFORMATION, POST-EMPLOYMENT, VENDOR NOTIFICATION**

Many employees of the University have access to confidential information. Information may be deemed confidential pursuant to various state and federal statutes and/or University policy. Unauthorized release of confidential information is prohibited. If an employee is unsure whether certain information is deemed confidential, he/she should seek advice from his/her supervisor, prior to releasing such information.

The State Code of Ethics contains several provisions regarding **post-state employment**. Prior to leaving employment with the University, all employees should review the applicable rules and, if necessary, seek guidance from The Office of State Ethics.

- **Section 1-84a:** You may never use confidential information for financial gain for yourself or any other person. This is a lifetime prohibition. “Confidential Information” is any information not generally available to the public. The information may be in any form (written, photographic, recorded, computerized, etc.) including orally transmitted information, e.g., conversations, negotiations, etc.
- **Section 1-84b(a):** You may not represent anyone concerning any particular matter in which you personally and substantially participated while in state service in which the state has a substantial interest.
- **Section 1-84b(b):** You may not, for one year, represent anyone before your former agency for compensation
- **Section 1-84b(f):** If you participated substantially in the negotiation or award of a state contract valued at \$50,000 or more, you may not accept employment with a party to the contract for one year after leaving state service, if you resign within one year after the contract was signed.

Recent statutory change prohibits the sanctioning of another’s ethics violation. No official or employee shall counsel, authorize or otherwise sanction action that violates any provision of the Code of Ethics.

The provisions of this document shall apply to all employees of the University of Connecticut. All current and future employees of the University shall be supplied with a copy of this document, and it shall be the responsibility of each employee to be familiar with these provisions and to comply with them. It is strongly suggested that employees avoid those situations which may give the appearance of being a conflict of interest. When in doubt or unsure about these provisions, an employee should contact either his or her supervisor, department head, or the University’s Ethics Liaison. Ultimately, The Office of State Ethics is the authority that determines what conduct constitutes an ethics violation under the law. Therefore, you are strongly encouraged to discuss any situation which may pose a conflict of interest or other ethics problem with the Office’s staff attorneys.

The University will notify vendors/contractors doing business with it of these provisions through its procurement officers. A summary of the State Code of Ethics as it applies to vendors will also be provided. Copies of this policy will be provided upon request.

## **Important Ethics Reference Materials**

It is strongly recommended that every employee read and review the following ethics materials:

- Connecticut General Statutes Sections 1-79 through 1-89a, found at [http://www.ethics.state.ct.us/Statutues\\_and\\_Regulations/po\\_code\\_2004.htm](http://www.ethics.state.ct.us/Statutues_and_Regulations/po_code_2004.htm)
- Ethics regulations Sections 1-81-14 through 1-81-38, found at [http://www.ethics.state.ct.us/Statutues\\_and\\_Regulations/regs.htm](http://www.ethics.state.ct.us/Statutues_and_Regulations/regs.htm)
- Guide to the Code of Ethics for Public Officials: [http://www.ct.gov/ethics/lib/ethics/guides/public\\_officials\\_guide\\_10.pdf](http://www.ct.gov/ethics/lib/ethics/guides/public_officials_guide_10.pdf)

The Storrs and Regional Campuses Ethics Liaison is:

Kimberly Fearney, Director of Compliance  
Office of Audit, Compliance, and Ethics  
Allyn Larrabee Brown Building, Lower Level  
Depot Campus  
9 Walters Avenue  
Unit 5084  
Storrs, CT 06269-5084  
Telephone Number: (860) 486-4526  
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The Health Center Ethics Liaison is:

Virginia Pack, Associate Compliance Officer  
Office of Audit, Compliance and Ethics  
University of Connecticut Health Center  
263 Farmington Ave.  
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The contact information for the Office of State Ethics:

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