

Subject: **Conflict of Interest**

Applies to: All Faculty and Staff

- I. Policy: It is the University's intent to avoid conflicts and the appearance of conflicts between interests of the University and the personal interests of faculty and staff members. Therefore, when any University business transaction under consideration presents the potential for a conflict of interest, or the appearance of one, the faculty or staff member concerned shall not be involved in the transaction, and the University shall act in accordance with the following guidelines and procedures.

- II. Guidelines:
 - A. A potential for a perceived or actual conflict of interest in a University business transaction exists where a University faculty or staff member, or a close relative or member of that person's household, is an officer, director, employee, proprietor, partner, trustee or stockholder in, or stands personally to profit from an organization or individual doing business with or seeking to do business with the University.

 - B. A potential actual or perceived conflict exists when a University faculty or staff member or close relative or member of that person's household has an interest in an organization that is in competition with a firm doing business with the University and the faculty or staff member's position gives him/her access to proprietary or other privileged information that could benefit the firm in which he/she has an interest.

 - C. University business includes but is not limited to procurement of goods and services (including consulting and contractual services), disposition of University materials or property, and agreements for the provision of services or use of University facilities or space.

 - D. Involvement in a University business transaction includes but is not limited to initiating, making the principal recommendation for, or approving a purchase or contract; drafting or negotiating the terms of a transaction; or authorizing payments for University accounts.

- III. Procedures:
 - A. Any University faculty or staff member who is or is to be involved in a University business transaction in which a potential for conflict of interest or its appearance exists, on his or her own part or on the part of another, is required to promptly report such potential conflict to his or her immediate supervisor, but may also report to more senior management, to

the Offices of Compliance, University Audit, or Counsel, or to the Integrity Hot Line, (585)756-8888. A supervisor or any other person who receives a report must inform the Compliance Program Officer, who will decide whether to inform more senior management (e.g. the Dean, Director or Vice President of the school or division) and/or the Offices of University Audit and Counsel.

- B. The University shall take action to assure that the transaction, if it is to proceed, is on fair and reasonable terms and in the best interest of the University. Someone other than the individual with the conflict shall make the necessary decisions and control the transactions. The resolution shall be communicated to the relevant Dean, Director or Vice President.
- C. The best interest of the University does not mean that purchases or other transactions must necessarily be diverted to other sources.

See also Policies: Faculty Policy on Conflict of Commitment and Interest
Policy on Intellectual Property and Technology Transfer
Code of Conduct for Business Activities: Conflict of Interest
Corporate Purchasing Statement of Business Practices and Policies:
Conflict of Interest
Federal Requirements Regarding Financial Disclosures and Agency
Notifications – Guidelines for University of Rochester Investigators
SMH Policy 1.7, Code of Organization and Business Ethics
SMH Policy 7.9, Pharmaceutical Company Representatives