

## POLICY CONCEPT FORM

<b>Name and UO Title/Affiliation:</b>	Kassy Fisher, Associate Vice President for Campus Services and Chief of Staff to the VPFA
<b>Policy Title/# (if applicable):</b>	Compensation (former OUS Internal Management Directive 4.111-022)
<b>Submitted on Behalf Of:</b>	Jamie Moffitt, Vice President for Finance and Administration/CFO (VPFA)
<b>Responsible Executive Officer:</b>	Vice President for Finance and Administration

**SELECT ONE:**  New Policy  Revision  Repeal

*Click the box to select*

**HAS THE OFFICE OF GENERAL COUNSEL REVIEWED THIS CONCEPT:**  Yes  No

**If yes, which attorney(s):** Jeslyn Everitt

### GENERAL SUBJECT MATTER

*Include the policy name and number of any existing policies associated with this concept.*

Because this policy, "Compensation", is a former OUS Internal Management Directive 4.111-022, its primary intent is to require each institution to have a policy that addresses its employees' outside activities and related compensation. It also asserts briefly that the university's telephones, computers, facilities and other resources (e.g., stationery) are intended for university business use.

### RELATED STATUTES, REGULATIONS, POLICIES, ETC.

*List known statutes, regulations, policies (including unit level policies), or similar related to or impacted by the concept. Include hyperlinks where possible, excerpts when practical (e.g. a short statute), or attachments if necessary. Examples: statute that negates the need for or requires updates to an existing policy; unit level policy(ies) proposed for University-wide enactment; or existing policies used in a new, merged and updated policy.*

Compensation (former OAR 580.020.0010-0100)

<https://policies.uoregon.edu/compensation-0>

Faculty: Overload Compensation, UO Policy Statement 02.01.18

<https://policies.uoregon.edu/policy/by/1/0201-personnel/faculty-overload-compensation>

Conflicts of Interest, Potential, UO Policy Statement 09.00.05

<https://policies.uoregon.edu/policy/by/1/09-research/conflicts-interest-potential>

**STATEMENT OF NEED**

*What does this concept accomplish and why is it necessary?*

We are proposing this policy be repealed for the following reasons:

(1) As a former OUS Internal Management Directive 4.111-022, its primary intent is to require each institution to have a policy that addresses its employees' outside activities and related compensation. The UO does, in fact, have such a policy and there is no need to maintain an institutional policy requiring us to maintain an institutional policy.

(2) This policy includes language stating that university's telephones, computers, facilities and other resources (e.g., stationery) are intended for university business use, which is both outdated in light of current technology and current university practice.

(3) This policy includes a small passage addressing frequent flyer miles, which is covered by the university's travel procedures so is not necessary.

**AFFECTED PARTIES**

*Who is impacted by this change, and how?*

NA (repeal does not result in substantive change)

**CONSULTED STAKEHOLDERS**

*Which offices/departments have reviewed your concept and are they confirmed as supportive? (Please do not provide a list of every individual consulted. Remain focused on stakeholders (e.g. ASUO, Office of the Provost, Registrar, Title IX Coordinator, etc.).)*

Name	Office	Date
Sonia Potter	Human Resources	Fall 2018
Angela Wilhelms	Office of the Provost	Fall 2018
Missy Matella	Human Resources	Fall 2018
Jeslyn Everitt	Office of the General Counsel	Fall 2018
Kelly Wolf	Business Affairs Office	Fall 2018
Cass Moseley	Vice President for Research & Innovation	Fall 2018

### Reason for Policy

This policy outlines matters pertaining to compensation

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### Entities Affected by this Policy

All faculty and employees of the university.

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### Web Site Address for this Policy

<http://policies.uoregon.edu/compensation>

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### Responsible Office

For questions about this policy, please contact the Office of the Vice President for Finance and Administration at (541) 346-XXXX [vpfa@uoregon.edu](mailto:vpfa@uoregon.edu).

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### Enactment & Revision History

Became a University of Oregon policy by operation of law on July 1, 2014.

Former OUS Internal Management Directive 4.111-022.

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### Policy

#### **4.111 Board Policy on Outside Activities and Related Compensation**

- (1) Employees may engage in outside consulting or other work so long as it does not substantially interfere with institutional obligations.
- (2) "Employees," as used in this policy, means an employee hired under the authority of the Board.
- (3) Laboratory and other institutional facilities and resources, including support staff and stationery, shall not be used in outside work for which the employee received remuneration unless expressly authorized by the institution. Such authorization may be included in the institution policy or as part of the approval of an employee's specific request.
- (4) Remuneration received in accordance with IMD 4.011 and IMD 4.015 from sources outside the University System shall be considered official salary, honorarium, or reimbursement of

expenses for purposes of ORS 244.040. Receipt of such compensation does not have to be reported under IMD 4.015(4) or (5) unless the outside work creates a potential conflict of interest as defined in ORS 244.020(8).

#### **4.015 Institution Policy on Outside Activities and Related Compensation**

Each institution shall adopt policies and procedures to implement IMD 4.011 to 4.015. Such policies and procedures shall:

(1) Include appropriate measures, such as one day per week, which define faculty time available for outside activities related to the faculty member's institutional responsibilities. Outside activities unrelated to institutional responsibilities and undertaken by faculty on personal time, regardless of whether compensated, are not subject to these Board of Higher Education and institution policies. However, if the faculty member, while on personal time, engages in outside activities that create a potential conflict of interest, the faculty member must provide written disclosure thereof in accordance with (4) and (5) below.

(2) Identify the name(s) or title(s) of institutional administrator(s) assigned responsibility for reviewing and acting on requests to engage in outside activities related to the faculty member's institutional responsibilities as referenced in (1) above.

(3) Identify and describe types of outside faculty activity related to faculty institutional responsibilities and associated funding sources which the institution approves as a class(es) and which will not require review and prior approval, such as health care faculty clinical activities, services as an expert witness, and services other than those identified in IMD 4.010(4) and (6) below. If, however, the particular activity under the class creates a potential conflict of interest, the faculty member shall provide a written disclosure thereof to a designated supervisor in accordance with (4) and (5) herein.

(4) Require faculty to disclose to the named institutional administrator(s) in writing, and to receive prior approval on a case-by-case basis, to engage in outside activities involving any or all of the following:

(a) Acceptance of compensation, or ownership of equity in the case of a private entity.

(b) Service in a line management position or participation in day-to-day operations of a private or public entity.

(c) Service in a key, continuing role in the scientific and technical activity of a private or public entity.

Institutional case-by-case approval will not be required if the activity is included within the scope of an institution-defined class as established under (3) above.

(5) Require that the faculty member's written disclosure, as referenced in (4) above, fully describe the:

(a) Type of work or consulting to be provided to the named entity;

(b) Nature of the relationship (e.g., employer/employee, entity/contractor, or consultant);

(c) Anticipated time commitment;

(d) Expected benefits to the entity, faculty member, and institution;

(e) Use of institutional facilities and support personnel, if any, and method of reimbursing institution for both direct and indirect costs, if institution approves such use; and

(f) Financial arrangements pertaining to funding sources of compensation, including equity ownership and other forms of economic value provided the faculty member or any immediate member of the faculty member's family.

(6) Require the institutional administrator(s) to consider the following when reviewing written requests to engage in outside activities:

(a) Written disclosures identified in (5) above.

(b) Contributions of the relationship to the faculty member's primary obligation to the institution and its support of the academic integrity of the institution as well as the faculty member's interdepartmental relationships.

(c) Prospective non-financial benefits to the faculty member and institution.

(d) Average time commitment over an academic term, such commitment not to exceed the limits established by the institution unless the institutional administrator(s) determines that the activity provides extraordinary benefit to both the institution and the participant as a faculty member. In cases where the time limits are to be exceeded, the faculty member shall disclose the amount of time in excess of the limits, and the institutional administrator(s) shall document in writing the rationale for approving the request to exceed the limits.

(e) Assurances that the outside activity does not substantially interfere with the faculty member's instructional, research, and other related institutional responsibilities, including those to students. Special attention must be given to the intellectual property interests of students who may create and claim ownership to such property developed in the process of completing their academic programs.

(f) Appropriateness of the use of institutional facilities and support personnel, if approved, including written documentation that the full cost thereof will be reimbursed to the institution.

(7) Establish the type, nature, and extent of the information required to be reported under (2) through (6) above, which shall be made a part of a faculty member's confidential personnel record.

(8) Provide a process whereby a faculty member dissatisfied with a decision of an authorized administrator may appeal that administrator's decision to another institutional authority. That authority shall be vested with power to make a final determination relative to authorization to engage in the outside activity.

(9) Provide for the institutional president to report to the Chancellor's Office by August 31 of each year any change in institutional policy on outside activities and evidence of procedures followed in monitoring faculty and family acceptance of compensation and equity for outside activities of the faculty member.

(10) Specify appropriate sanctions against faculty who fail to comply with Board and institutional policies and procedures concerning outside activities and acceptance of related compensation and equity.

(11) Be submitted to the Chancellor's Office for review and approval prior to adoption.

#### **4.020 Travel Awards and Bonuses**

(1) Employees traveling on System business must use routes, schedules, and airlines that provide the lowest rates and the most efficient travel.

(2) Because the cost of recordkeeping outweighs the nominal monetary benefit to the System, frequent-flyer bonuses earned by employees traveling on System business are part of the employment package and may be used by employees as they choose unless the institution determines otherwise for specific employees or the terms of a grant or sponsorship do not permit.

#### **4.021 Use of Telephones**

(1) System campus and cellular telephones are intended primarily for conducting System business. Notwithstanding, employees may use System telephones for personal calls when that use will be more efficient to the overall conduct of the System's business.

(2) Employees shall reimburse the System for any direct costs incurred by the System for use of System campus and cellular telephones for personal use, consistent with (1). Any benefit the employee receives because of System rates shall be considered part of the employee's compensation.

#### **4.022 Use of Computers**

Personal use of computing facilities, Internet connections, and e-mail is acceptable as long as it does not interfere with an employee's ability to perform job duties or with the ability of other users to carry out their job duties or does not violate the other provisions of acceptable use contained in institution or Chancellor's Office policy.

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**Related Resources**

NA