



Office of Risk Management & Compliance

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To: Jackie Huntoon, Provost and
Senior Vice President for Academic Affairs

Date: January 21, 2019

From: Janet Hayden, CRM, CSRM 
Executive Director of Risk Management
& Compliance

Subject: Employee Code of Conduct – Final Version **CC:** D. Reed, J. Seppala, J. Polzien,
A. Hughes

A subcommittee of the Compliance Partners Working Group (CPWG) comprised of Joanne Polzien, Executive Director of Compliance, Integrity & Safety; Amy Hughes, Director of Internal Audit and I have been working in conjunction with the CPWG to develop the attached Employee Code of Conduct policy.

As you know, we began working on an employee code of conduct in January 2018. Since that time, we have shared the draft versions with the Vice Presidents and their direct reports, the University Senate, and legal counsel, and throughout the year have provided multiple opportunities for each of these groups to provide input. In addition, we recently worked with, and sought input from, the Consensual Relationship Policy Committee, whose membership also included a representative from the University Senate.

Based on the feedback that we have received, attached is the proposed final version of the Employee Code of Conduct for the Administration's consideration.

It is important that the University adopt an employee code of conduct, as an increasing number of federal, state and industry funding agencies and others that the University does business with are asking for our code of conduct policy.

Upon approval of this policy, the CPWG will monitor this policy on a regular basis.

Final Version

Policy Number:	XXXXXXX
Title:	Employee Code of Conduct
Effective Date:	
Senate Proposal:	No
Responsible University Officer	CFO and Senior Vice President for Finance and Administration
Responsible Office:	Risk Management & Compliance

This Code of Conduct establishes general principles for professional conduct by University employees including executive officers, faculty, staff, and other individuals employed by the University, and volunteers acting on behalf of the University with University consent. These are referred to as "Members of the University." These principles have been derived from applicable federal, state, and local laws and regulations, University policies and procedures, contractual and grant obligations, and principles of ethical conduct.

Ethical and Professional Conduct

All members of the University shall, at all times, conduct their activities on behalf of the University in accordance with the highest standards of ethical and professional conduct, and conduct all University business and related professional activities in good faith and with fairness, accuracy, integrity and respect for others.

Respect for Others

All members of the University are expected to fulfill their obligations toward students, colleagues, and other University community members in a manner that is always fair, respectful, and professional.

The University is committed to equitable treatment, opportunity, and respect in relationships among faculty, administrators, staff, students, and others who come in contact with the University.

Michigan Technological University embraces an environment that is free from all types of discrimination or harassment prohibited by University policy, and federal and state law, and that is conducive to learning and individual growth for all campus members and visitors as outlined in Board of Trustees policies on Equal Opportunity, Discrimination or Harassment:

<http://www.mtu.edu/bot/governance/policies/chapter5/>

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Conflicts of Interest and Commitment

A conflict of interest exists if an individual's personal, financial, or other interests could improperly influence execution of their University responsibilities. This includes, but is not limited to, participating, in their capacity as a University employee in any matter that would have a direct and predictable effect on the employee's own interest or on the interests of a person who is:

- a member of the employee's household or is a relative with whom the employee has a close personal relationship;
- in a close personal or consensual relationship where one party has direct influence or authority over another;
- a partner of a partnership in which the employee is a limited or general partner;
- the owner of a company or other entity in which the employee, their spouse/partner or a member of their immediate family has an ownership interest;
- an organization in which the employee serves as an officer, director, trustee, or employee; or
- a person with whom the employee is negotiating for or has an arrangement concerning prospective employment.

Whenever a potential or perceived conflict of interest arises, the individual must disclose it and work with the appropriate University officials to develop a plan to eliminate, reduce, and/or manage the conflict of interest in the manner prescribed by Board of Trustees Policy 4.7 Conflict of Interest:

<http://www.mtu.edu/bot/governance/policies/chapter4/sections/4.06-4.10.html>

No member of the University shall accept or solicit any gift, favor, or service that might influence them in the discharge of their duties.

Compliance with Laws and Regulations

Every member of the University is expected to become familiar with the federal, state and local laws and regulations that are applicable to their position and duties, and to comply with both in letter and spirit.

Compliance with University Policies and Procedures

All members of the University are expected to familiarize themselves with and follow applicable University policies and procedures. As part of this, each member of the University is also expected to follow the policies and procedures enacted by the academic or administrative unit within which the member is working at the University.

Questions about a specific policy or procedure should be directed to the individual or office responsible for oversight of that policy or procedure.

Appropriate Use of University Resources

All members of the University have a fiduciary and ethical duty to use the highest standard of care to ensure that university resources, such as funds, office space, equipment, supplies and other property, and employee time during working hours are used appropriately for the benefit of the University, and in compliance with applicable laws and regulations and University policies and procedures.

Health & Safety

Members of the University must be committed to protecting the health and safety of its members by maintaining safe workplaces, and must comply with all environmental health and safety laws and regulations. The University will provide information and training about health and safety hazards, and safeguards.

Appropriate Treatment of Confidential and Private Information

Members of the University may have access to confidential, proprietary, or private information of various types, including student records, employee records, University business information, personally identifiable information, intellectual property and other information subject to contractual or legal obligations of confidentiality. All members of the University must follow all applicable legal, contractual, and policy restrictions on the use, disclosure and safeguarding of such information.

Reporting Suspected Violations

This Code of Conduct has been created and exists for the benefit of the entire University and all of its members. It exists in addition to and is not intended to limit or modify the specific policies, procedures, and rules enacted by the University and each of its units.

Each member of the University has the responsibility to ask questions, seek guidance, and report suspected violations of this Code or any other applicable law or regulation, contractual or other obligation of the University, or of University policy or procedure. Individuals are encouraged to report suspected violations through standard management channels, such as to their immediate supervisor or other appropriate University officials.

In accordance with federal and state laws, and Michigan Tech policies; (1) if an individual becomes aware of harassment or discrimination based upon protected class, this must be reported to the immediate supervisor and/or the Office of

Institutional Equity; (2) if an individual becomes aware of an act of gender discrimination, sexual harassment or sexual misconduct, and they are considered a “responsible employee” by policy, this must be reported by either Dialing 911, contacting the Office of Institutional Equity and/or Public Safety and Police Services.

An individual who for any reason feels uncomfortable reporting a suspected violation through established channels may file an anonymous report by calling 1-844-490-0055 or by visiting Michigan Tech’s Hotline <http://www.mtu.edu/internal-audit/resources/hotline/>.

Michigan Technological University asserts that no retaliatory action will be taken against anyone for reporting or inquiring in good faith about potential ethical misconduct or violation of University Policies, procedures, ordinances or regulations.

Consequences of Violations

Michigan Tech has the authority to take action against individuals who violate the Code of Conduct consistent with published University ordinances, policies, rules, regulations and procedures. Sanctions, which may include termination, are to be graduated to reflect the seriousness of the violation. In enforcing this policy it should be recognized that violations are not always blatant; they are not always easily defined in terms of obvious or absolute rights and wrongs. Distinctions must be made between neglect, honest oversights, or ignorance of procedures on the one hand and willful violations on the other.