



Policy on Conflict of Interest

Purpose

Polytechnic University of Puerto Rico (“PUPR” or “University”) Faculty and Staff have a fundamental obligation to act in the best interests of the University and not let outside activities or outside financial interests interfere with such obligation. PUPR expects its Faculty and Staff to advance the University’s mission of education, research and service. As part of this responsibility, the University expects Faculty and Staff to apply their time and effort appropriately and use University resources toward University ends.

All members of the University community are expected to conduct University business with high ethical and legal standards. This Policy establishes a standard of conduct to protect the financial well-being, reputation and legal obligations of the University, and to deter wrongdoing and ensure accountability for adherence to the Policy. Furthermore, this Policy establishes a method to protect the University community from questionable circumstances that might arise and to resolve any apparent or real conflicts.

Applicability

This Policy applies to all University employees (Faculty and Staff). It is the policy of the PUPR that its employees conduct the affairs of the University in accordance with the highest ethical and legal standards. To avoid a conflict between personal or professional interests and University interests, individuals must not be in a position to act on behalf of or make decisions for the University if their personal economic gain or interest may directly or indirectly influence, or have the appearance of influencing, the performance of their PUPR duties.

Good judgment of employees is essential, and no list of rules can provide direction for all the varied circumstances that may arise. If a situation raising questions of Conflict of Interest, employees are urged to discuss the situation with their school dean, supervisor or the Office of the President of the University (“OPU”).

Conflict of Interest

Considerations of personal gain must not influence the decisions or actions of individuals in discharging their University responsibilities. Such incentives might create a perception of impropriety and, therefore, require that such conflicts be identified, and then managed, reduced or eliminated.

A Conflict of Interest occurs when an individual's financial, professional or private interest (or the interest of a member of his or her family) interferes, or even appears to



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interfere, with the interests of the University as a whole or with his professional judgment in exercising any University duty or responsibility. The following activities are examples of situations that may raise questions regarding an apparent or real Conflict of Interest:

- a) Undue personal gain from University funds or resources;
- b) Excessive or unauthorized use of University time or resources for professional, charitable or community activities;
- c) Exploitation of students for private gain;
- d) Compromise of University priorities due to personal financial considerations;
- e) Unfair access by an outside party to PUPR programs, services, information or technology;
- f) Selection of an entity as a University vendor by an individual who has a personal or economic interest in that entity; this includes engaging a relative as an independent contractor, subcontractor or consultant.

PUPR will exercise oversight and care in eliminating or managing Conflicts of Interest that do or may arise because of an individual's personal interest in University activities. The University will not accept or enter into agreements, contracts, gifts or purchases that give rise to a Conflict of Interest unless the conflict can be eliminated or appropriately managed through administrative oversight to protect the interests of the individual and the University.

University Resources

University resources are to be used only in the interest of the University. Employees may not use University resources, including facilities, personnel, equipment or confidential information, as part of their outside consulting activities or for any other non-University purposes. Inappropriate use of University resources includes, but is not limited to, the following:

- a) A Faculty member assigning his or her students, Staff or postdoctoral scholars University tasks to advance the Faculty member's own monetary interest rather than to advance the scholarly field or educational needs;
- b) Granting external entities access to PUPR programs, resources, services, information or technology for purposes outside the University's mission;
- c) Offering inappropriate favors to outside entities in an attempt to unduly influence them in their dealings with the University.



Staff Outside Professional Activities

An Outside Professional Activity is any paid or volunteer activity undertaken by a Staff member of PUPR outside the scope of his or her regular University duties. Outside Professional Activities may include participation in professional, civic or charitable organizations, such as consulting, working as a technical or professional advisor or practitioner, or holding a part-time job with another employer, whether working in one's University occupation or another.

Outside Professional Activities that use University resources or an individual's time on the job, thereby competing with the University or conflicting with the performance of the job, present a Conflict of Interest and are not permitted.

Activities that present a potential Conflict of Interest require the written permission of the supervisor or department head. Permission is given if the activity does not compete with University activities, result in undue personal gain, or interfere with the performance of the Staff member's University duties.

Faculty Outside Professional Activities

Appointment as a Faculty member of the PUPR (either full or part-time) confers the obligation to pursue teaching, research and/or University service. Fulfillment of these obligations requires a primary commitment of expertise, time and energy. Faculty engagement in Outside Professional Activities is a privilege and not a right and must not detract from a Faculty member's obligation to his or her University duties.

As for full-time Faculty, the University expects them to devote their primary energies and professional interests to their University obligations, they may not accept significant managerial responsibilities as part of their Outside Professional Activities. It will be necessary for a Faculty member to obtain the written permission of his or her chair and school dean and may require an unpaid leave of absence from his or her University responsibilities in order to take on a significant management role in an outside entity.

Faculty use of Students and Staff

Student involvement in Faculty enterprises may provide the potential for substantial benefits to the education and career development of the student. Such involvements need to be guided to avoid conflicts of interest or interference with the student's primary educational and research duties.

Faculty and others in a supervisory capacity may not require those they supervise to perform services outside those related to their University position. It may be appropriate for Staff



to assist Faculty members in their Outside Professional Activities, depending upon the nature and extent of the Staff involvement on an incidental or infrequent basis. However, because such involvement is a potential source of conflict between Faculty members and their Staff, any Staff involvement must be approved in writing by the relevant department chair, dean or OPU, and discussed with the Staff person.

Favor and Gifts

Employees shall not solicit a gift or accept a Significant Gift when such solicitation or acceptance may influence, or have the appearance of influencing, the performance of University duties. A “Significant Gift” is defined as any item, service, favor, monies, credits, or discounts not available to others. Nevertheless, employees may accept trivial items as a matter of courtesy, but may not solicit them. Acceptance of social invitations to occasional business meals, entertainment and hospitality will be subject to prudent judgment as to whether the invitation places or appears to place the recipient under any obligation. Questions about the value of a gift or the appropriateness of an invitation should be referred to your department chair, dean or OPU.

Disclosure and Reporting

An employee about to engage in an activity that may present a Conflict of Interest must provide written notification to his or her immediate supervisor or department, or the relevant department chair, dean or OPU. The supervisor or department considers all factors relevant to the situation and advises the employee in writing regarding whether the activity may be undertaken.

If an employee becomes aware of any potential Conflict of Interest or ethical concern regarding its employment or another employee at the University, the employee must promptly speak to, write or otherwise contact its direct supervisor or, if the conduct involves his or hers direct supervisor, the OPU as soon as possible. You should be as detailed as possible. PUPR will directly and thoroughly investigate all concerns regarding Conflicts of Interest and will determine whether a Conflict of Interest exists and what action should be taken.

No Retaliation

PUPR prohibits any form of discipline, reprisal, intimidation or retaliation for reporting a potential Conflict of Interest or violation of this policy or cooperating in related investigations.

Administration of this Policy

The Office of the President of the University is responsible for the administration of this Policy. If you have any questions regarding this Policy or if you have questions about



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Conflicts of Interest that are not addressed in this Policy, please contact the Office of the President.

CERTIFICATION

I, Francisco Martinez Ubarri, secretary of the Board of Trustees of Polytechnic University of Puerto Rico, Inc., a nonprofit corporation organized under the laws of the Commonwealth of Puerto Rico, located at 377 Avenue Ponce de Leon in San Juan, Puerto Rico, hereby **CERTIFY** that:

At the regular meeting of the Board of Trustees of Polytechnic University of Puerto Rico held on February 26, 2016, at its headquarters, duly convened and with the corresponding quorum, unanimously approved the Conflict of Interest Policy.

In San Juan, Puerto Rico, February 26, 2016.


FRANCISCO MARTINEZ UBARRI
Secretary

