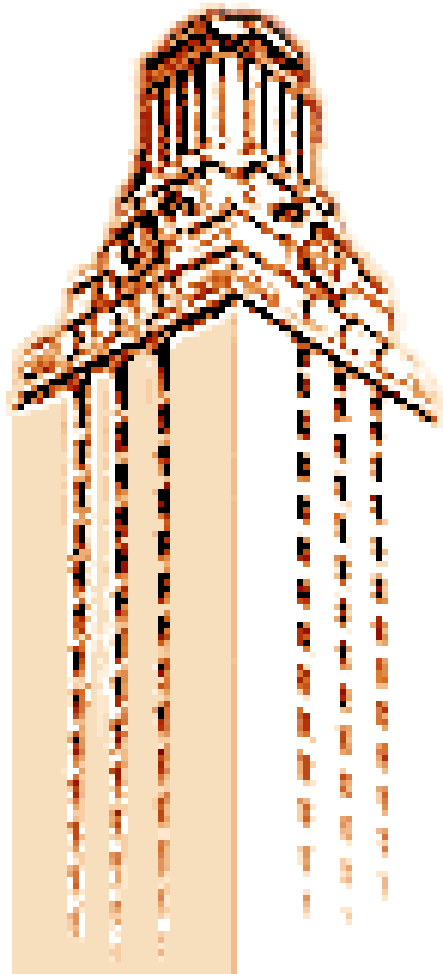


# Employee Compliance Guide



*“Do the Right Thing”*

The University of Texas at Austin  
Office of Institutional Compliance



Dear Faculty and Staff members,

The University operates in an increasingly complex environment, with greater federal and state oversight. This environment requires us to emphasize performance, accountability, and ethics.

The University of Texas System, at the instruction of the Board of Regents, has required each component to establish an Institutional Compliance Program. While most employees are aware of compliance standards and are sensitive to these issues, we feel that it is beneficial to provide an official guide for use as reference. This guide will enable you to better understand your ethical and legal obligations and to avoid non-compliance.

Additionally, as a part of the Institutional Compliance Program, all faculty and staff will be required to participate in general compliance training. In order to make this convenient, much of the basic training will be offered in web-based modules. Some employees will receive training in a group setting, and some will be required to take additional training specific to their work situation.

You are the key to the success of the program. Your cooperation will play an important role in reducing risk and exposure to the University and understanding what is expected of each of us.

Ethical conduct and compliance are personal responsibilities of all employees of The University of Texas. It is important that we all participate.



# The University of Texas at Austin Employee Compliance Guide\*



## Our Commitment to Ethical Conduct “Do The Right Thing”

*The University of Texas at Austin Institutional Compliance Program is dedicated to assisting all University employees in carrying out their daily activities within applicable ethical and legal standards. Through this program we will become more informed of what we already are required to do to comply with the rules, regulations and policies of the University and all federal, state and local laws. It is important that the legal and ethical obligations of all University employees be clearly understood. This guide is designed to highlight key obligations and provide useful information concerning everyday standards of conduct that will ensure that all employees follow relevant laws, regulations and policies.*



## *Table of Contents*

Introduction .....	7
Purpose .....	7
Ethics Policy .....	7
University of Texas System Ethics Policy .....	7
Institutional Compliance Program .....	8
Standards of Conduct .....	9
1. Contacts with the Media .....	9
2. Contacts with Government Agencies/Outside Investigators .....	9
3. Records and Information .....	10
Confidential Information .....	10
Accuracy of Records .....	10
Retention and Disposal of Records .....	10
4. Workplace Conduct and Employment Requirements .....	10
Fraud .....	10
Equal Employment Opportunity .....	11
Sexual Harassment and Sexual Misconduct .....	11
General Hiring Requirements .....	11
Overtime Compensation .....	11
Family and Medical Leave Act .....	11
Outside Employment .....	12
Financial Interests .....	12
5. Research .....	12
6. Environmental Health & Safety .....	13
Workplace Health and Safety .....	13
Protection of the Environment .....	13
Drug-Free and Weapon-Free Workplace .....	14
7. Entering Into Contracts and Agreements .....	14
Contracts and Agreements .....	14
8. Use of U.T. Austin and State of Texas Resources .....	14
Use of State-Owned Property .....	14
Computer Software .....	15
Information Security and Confidentiality.....	15
Computer System Access and Passwords .....	15
Purchasing .....	16
Solicitation .....	16
9. Copyright and Intellectual Property .....	16
Photocopying of Copyrighted Material .....	16
Intellectual Property .....	16
10. Political Activities and Contributions .....	17
Political Activities .....	17
Political Contributions .....	17
11. Gifts, Honoraria and Estates .....	17
Gifts Made to U.T. Austin .....	17
Gifts Made to Influence Decisions .....	17
Gifts from Persons Doing Business with U.T. Austin and/or U.T. System.....	18
Honoraria .....	18
Estates .....	18
Standards of Conduct-In a Nutshell .....	19
Acknowledgement Form .....	21
Things to Remember .....	23
Contact List .....	24



## *Purpose*

The purpose of the *Employee Compliance Guide* (“*Guide*”) is to emphasize the need for and responsibility of all employees\* of The University of Texas at Austin (“U.T. Austin”) to perform their duties and responsibilities in compliance with applicable federal and state laws, local rules and regulations; the *Policies* and the *Rules and Regulations of the Board of Regents of the U.T. System*; and the policies and procedures of The University of Texas at Austin. Although the *Guide* addresses a number of specific laws, policies, rules and regulations, it is not intended to be a comprehensive list of legal and ethical standards. Rather, it provides employees of U.T. Austin with information about some of the laws, policies, rules, and regulations that have a direct effect on the University and its operations. It is also an educational tool and information directory to be used by the U.T. Austin Institutional Compliance Program to train its employees regarding the conduct required of them in the workplace. Generally, if you have questions, please see your supervisor. Faculty may discuss issues with their Department Chair, Dean, the Office of Institutional Compliance or the Vice President for Legal Affairs.

## *Ethics Policy*

All employees of a University of Texas System component institution are expected to conduct University business in an ethical manner. The Board of Regents of the U.T. System has set out a general outline of the level of ethical behavior expected in its Ethics Policy, which follows. Specific ethics or employee compliance questions should be directed to your supervisor first and then to the U.T. Austin Office of Institutional Compliance. The Office of Institutional Compliance is located at Flawn Academic Center 405; (512) 232-7055.

## *The University of Texas System Ethics Policy*

The University of Texas System’s Ethics Policy, included in *Rules and Regulations of the Board of Regents of The University of Texas System*, applies to U.T. Austin employees and is as follows:

Officers, faculty, and employees of The University of Texas System may not have a direct or indirect interest, financial or otherwise, of any nature that is in conflict with the proper discharge of the officer’s or employee’s duties.

Officers, faculty, and employees shall timely furnish such written disclosures as may be required by state and federal authorities or by System requirement.

All officers, faculty, and employees shall adhere to the laws, rules, regulations, and policies of applicable governmental and institutional authorities and the following standards of conduct. The failure to do so may be grounds for disciplinary action, up to and including termination of employment.

- No employee shall accept or solicit any gift, favor, or service that might reasonably tend to influence the employee in the discharge of his or her official duties or that the employee knows or should know is being offered with the intent to influence his or her official conduct.

---

\* The term “employees of The University of Texas at Austin (“U.T. Austin”)” includes all administrative officers, faculty, administrative and professional staff, classified and non-classified staff, and student employees.







## Q&A

**Equal Employment Opportunity.** U.T. Austin prohibits discrimination on the basis of race, color, religion, sex, national origin, disability, age, veteran status and sexual orientation in recruitment, employment, promotion, compensation, benefits or training. U.T. Austin Equal Opportunity Services manages all allegations of discrimination. All state employees must take training on policies and procedures prohibiting employment discrimination, including sexual harassment, not later than 30 days after employment and every 2 years thereafter, as provided in the Texas Labor Code. The University complies with the Americans with Disabilities Act (ADA), which prohibits discrimination against persons with disabilities. Contact EOS at (512) 471-1849.

**Sexual Harassment and Sexual Misconduct.** The environment for employees and students should be free from inappropriate conduct of a sexual nature in the workplace or classroom. U.T. Austin is committed to complying with federal and state laws regarding sexual harassment. Faculty or employees found to have engaged in either sexual harassment or sexual misconduct may be subject to disciplinary action, up to and including termination. U.T. Equal Opportunity Services provides oversight in this area. You may reach EOS at (512) 471-1849.

**General Hiring Requirements.** The University must ensure that all persons hired are eligible to work in the United States; therefore all employees must present proof of identity and eligibility within 3 days of hiring. All males must provide proof of registration, or exemption from registration, with the Selective Service System.

**Overtime Compensation.** The Federal Fair Labor Standards Acts (“FLSA”) entitles non-exempt employees of U.T. Austin who are required or permitted to work in excess of forty hours in a workweek, to receive either compensatory time off or payment for overtime at the rate of time and one-half. Permission to work overtime must be obtained **in advance**. The Compensation Section of Human Resource Services can be reached at (512) 471-5824.

**Family and Medical Leave Act.** An eligible employee may receive a leave of absence, using a combination of leave with pay (when available) and leave without pay, for a maximum of twelve weeks within a twelve month period, for serious family and medical reasons specified by the Federal Family and Medical Leave Act of 1993 (“FMLA”) and accompanying regulations governing the FMLA. For information concerning specific eligibility requirements and restrictions, contact the Insurance, Retirement and Leave Management Section of

*What are some examples of abuse?*

- Using sick leave when you or your family are not sick.
- Taking a long lunch or break without approval.
- Taking small amounts of products or supplies belonging to U.T. Austin.

*Who do I call if I feel that I have been discriminated against?*

U.T. Austin Equal Opportunity Services manages all allegations of discrimination. Contact EOS at (512) 471-1849.

*I have heard one of my coworkers make racist remarks. Although I am not a minority, these remarks are offensive to me and I know are offensive to some minorities who work in the department. What should I do?*

Immediately report the situation or incident to U.T. Austin Equal Opportunity Services at (512) 471-1849.

*I am a non-exempt classified employee. I like to get all of my work done, so I come in early and stay late on most days but I only record 8 hours time either on electronic timesheet system or my timesheet each day. Is this ok?*

**No.** If you work more than 40 hours in a week, you must receive approval from your supervisor before you work the hours. If you don't know whether you are a non-exempt employee, ask your supervisor.

*I was out all of last week recovering from surgery. As a faculty member, do I need to report sick leave for the days on which I did not have any scheduled classes as well as the days I was scheduled to teach?*

**Yes.** Faculty members at institutions of higher education must report sick leave even though no classes were missed if the absence occurred during the normal workday for regular employees.

*Can employees who request sick leave for a doctor's appointment be required to return to work with a doctor's note?*

**Yes.** If you requested sick leave for yourself or your immediate family (spouse or dependent child), your supervisor may request a doctor's note.

## Q&A

*May I work packing groceries at a local grocery store at times when I am not on my normal work hours?*

**Yes.** Grocery stores do not represent a conflict of interest for U.T. Austin employees. If U.T. Austin is your full-time or part-time employer, you need to be certain with your supervisor that employment at the grocery store will not interfere with your U.T. Austin scheduled work times.

*I am an accountant for a department at U.T. Austin. I also do bookkeeping for a catering firm that does business for U.T. Austin and occasionally with my department. Is there anything wrong with this?*

**Yes.** You may not accept employment from any outside firm that also does business with U.T. Austin and creates a possible conflict of interest. It would be possible for you to allow the catering firm to bill your own U.T. Austin department too much and then you could pay that bill.

*I have been asked to work on my weekends off for a vendor that provides services to U.T. Austin. Can I accept the extra work?*

**Possibly.** This depends on the job duties of the second job and the similarity to your job at U.T. Austin. In the previous scenario, if the accountant worked as a waitress for a caterer, the answer would probably be “No”. Prior to accepting any employment outside of U.T. Austin, you should receive permission from your supervisor and consult with U.T. Austin Human Resource Services (HRS). HRS can advise if this other employment would create a conflict of interest.

*I have a substantial financial interest in a new invention that would greatly benefit U.T. Austin. Can I write a justification letter to exclude other products from consideration by U.T. Austin Purchasing?*

**No.** You must disclose your potential conflict with your supervisor and the purchasing official. If you normally have responsibilities to make or recommend such a purchase, you must disqualify yourself from participating in the decision.

*If I own stock in UPS and my department ships packages via UPS, does a conflict of interest exist?*

**No.** Investments in publicly traded companies such as UPS are not considered to be a conflict of interest.

Human Resource Services at (512) 471-4343. Faculty using such leave and who need to reassign their classes must do so through the Provost’s Office.

**Outside Employment.** The primary employment responsibility of the faculty and staff is to U.T. Austin. Outside employment should not interfere with a faculty or staff member’s responsibility to U.T. Austin. No member of the faculty or staff may accept outside employment, temporary or regular, that actually or potentially results in any conflict of interest with, or intrudes upon or detracts from the individual’s responsibilities to the programs, policies, and objectives of U.T. Austin. Consulting and other professional commitments, paid or unpaid, that present conflicts of interest or may impinge upon an employee’s institutional commitments are to be avoided, even if the outside employment only presents potential problems. No full-time employee shall be employed by an outside entity and shall not receive a retainer fee, or salary, until a description of the nature and extent of the employment has been filed with and approved by the appropriate administrative officials in the employee’s operating unit.

Faculty are encouraged to accept outside consulting and professional activities which contribute to their effectiveness as a teacher and scholar, and meet the University’s obligation of public service. Forms are required to be filed with the Provost’s Office at (512) 232-3310. Faculty should be aware that permission through the President’s Office must be obtained to use a faculty-authored text in a class they are teaching. Forms are available from University Supply.

**Financial Interests.** State laws, court decisions, opinions of the Attorney General and the policy of the Board of Regents prohibit employees of U.T. Austin from having a direct or indirect interest, financial or otherwise, in a corporation of any nature that is in substantial conflict with or might reasonably tend to influence the performance of the employee’s official duties.

## 5. Research

The Vice President for Research annually issues a “Statement for Administrative Responsibilities for Research Activities” indicating policy guidance concerning such issues as a safe working environment, use of controlled substances, human subject research, misconduct in science and other scholarly activities, objectivity in research, oversight of students and/or employees, ethics policy, sponsored projects, the University’s Intellectual Property Policy, visiting scholar agreements and

consulting.

See [www.utexas.edu/research/vp/docs/adm\\_resp.html](http://www.utexas.edu/research/vp/docs/adm_resp.html).

Persons involved in research activities should make themselves thoroughly familiar with this annual memorandum and its contents and referenced materials.

The Office of Research Support and Compliance can provide additional information and assistance at (512) 471-8871.

## 6. Environmental Health & Safety

**Workplace Health and Safety.** The Administration of U.T. Austin wants all employees to work in a safe and healthy environment. Visitors to campus should also be provided the same. All U.T. Austin employees must perform their duties in compliance with all applicable institutional policies, federal, state and local laws and standards relating to the protection of worker health and safety. Employees are strongly encouraged to become familiar with and understand how these laws, standards, and policies apply to their specific job responsibilities. Employees should also seek advice from their supervisors or Environmental Health & Safety (EH&S) as needed. Each employee is responsible for advising the employee's supervisor and EH&S or Workers' Compensation section of Human Resource Services of any workplace injury or any situation presenting a danger of injury so that timely corrective action may be taken. Information regarding U.T. Austin's policies and procedures may be obtained from EH&S at (512) 471-3511.

**Protection of the Environment.** The U.T. System's Environmental Policy Statement, which is applicable to U.T. Austin and all other U.T. System components, includes the requirement that all employees manage hazardous chemical, radioactive, and other wastes in a way that maximizes protection of human health and the environment. This means that employees must properly dispose of them, thereby preventing pollution by eliminating improper discharge into the air, to sewer systems or onto the ground, or directly into bodies of water. The Environmental Policy continues to state that all employees will be trained to perform their duties and conduct their activities in an environmentally responsible manner. To accomplish this goal, EH&S provides optional and required training courses regarding chemical, radioactive, and biological waste disposal, storm water pollution prevention, as well as training to help employees become more aware of their environmental impacts and responsibilities. Many activities impacting our environment are regulated by federal and state law, as well as by permit

*I broke my finger when a co-worker accidentally closed the office door on it. Should I report this to the Worker's Compensation Office?*

**Yes.** You should report your injury to both your supervisor and the Workers' Compensation Insurance Section of Human Resource Services (HRS) at (512) 471-3133. Also, you must complete Part I, Employee's Injury Statement, of the Workers' Compensation Insurance form. Your supervisor should provide you with the WCI form. However, if your supervisor or department does not have the form, you can get the form from the WCI office.

*Can I pour waste chemicals down the sink drain if I feel that they are non-hazardous? If I cannot, how do I properly dispose of these chemicals?*

In general, chemical waste may not be poured down the drain. Environmental Health & Safety provides free pick-up and disposal services for chemical, biological and radioactive waste that is generated by U.T. Austin at all of its facilities. Call (512) 471-3511 to access this service.

## Q&A

*I believe I saw one of my coworkers using drugs at the workplace. What should I do?*  
Report the suspected incident to your supervisor or inform U.T. Austin Police Department by calling (512) 471-4441.

*A company asked me to sign a confidential disclosure agreement so that I could discuss my intellectual property with them. Is my signature all that is necessary?*

**No.** Although inventors of the “invention” covered by the agreement sign confidential disclosure agreements, only individuals expressly authorized by the U.T. Austin President may sign contracts and agreements on behalf of the University.

*I have a need to use a U.T. Austin owned vehicle regularly. Occasionally I stop at the grocery while using the U.T. Austin vehicle. Is this okay?*

**No.** U.T. Austin vehicles are to be used for U.T. Austin business purposes only. You may not use the U.T. Austin vehicle to do personal errands or business.

*Our U.T. Austin office is very friendly and we often share recipes. Is it okay to copy these recipes on the copying machine for everyone in the office?*

**No.** Recipes generally are not related to U.T. Austin business. You may not copy recipes for distribution to other employees for non-University purposes.

and policy or procedure. For guidance regarding your responsibilities or to report an activity that seems inconsistent with policy, please contact EH&S at (512) 471-3511.

**Drug-Free and Weapon-Free Workplace.** The unlawful manufacture, distribution, possession, or use of a controlled substance in or on any premises or property owned or controlled by U.T. Austin (“U.T. property”), including vehicles, is prohibited. Any employee who is found guilty (including a plea of no contest) or has a sentence, fine, or other criminal penalty imposed by a court for an offense involving a controlled substance that has occurred in or on U.T. property shall report such action to his or her supervisor or to Human Resource Services within five (5) days. Any employee who unlawfully manufactures, sells, distributes, possesses or uses a controlled substance on U.T. property, regardless of whether such activity results in the imposition of a penalty under a criminal statute, will be subject to appropriate disciplinary action. U.T. Austin also prohibits alcohol and weapons in all facilities and grounds, parking lots, recreational and housing facilities. Facsimile weapons, such as for a stage play, must have prior approval from the Office of the Dean of Students. Only University police officers and ROTC are permitted to carry weapons. Special permission to serve alcoholic beverages at special events on campus must be obtained through the Office of the President.

## 7. Entering Into Contracts and Agreements

**Contracts and Agreements.** No employee is authorized to sign a contract or agreement, including a gift agreement, that claims to bind U.T. Austin unless that employee has official written delegated authority to do so. Employees may not sign a contract or agreement on behalf of the U.T. System unless they have proper authority to execute the document and they take all related actions required under the *Rules and Regulations of the Board of Regents of the U.T. System*.

## 8. Use of U.T. Austin and State of Texas Resources

**Use of State-Owned Property.** As a general rule, an employee may use U.T. Austin property and assets only for state purposes; personal use of University property is prohibited. Incidental use of U.T. Austin information technology resources (such as telephones, fax machines, computers, software, data networks, and Internet access) is permissible, however, provided such use complies with applicable policies and does not result in additional cost to the University. Use of University letterhead is subject to specific

rules and you should be very careful about using it for purposes which are not clearly official business. Only employees who are registered with the Office of the Controller to drive University vehicles may do so. Non-employees are **never** permitted to do so. Employees are required to use reasonable care in protecting the safety and condition of U.T. property and may be held responsible for its loss or destruction if they do not. Employees are asked to direct any questions about the use of university property to their supervisor.

**Computer Software.** Employees who use software licensed to U.T. System or to U.T. Austin on University or personally-owned computers must abide by applicable software license agreements, and may copy licensed software only as permitted by the license. Questions regarding applicable software license agreements should be forwarded to appropriate supervisors or ITS-Administrative Computing at (512) 471-7128 or the ITS-Customer Support and Communication at (512) 475-9300, depending on the issue involved.

**Information Security and Confidentiality.** Information from U.T. Austin files and records, and computer systems used to access that information, may be used only for official state purposes. Every U.T. Austin employee has a responsibility to maintain the security and confidentiality of University information resources, to prevent accidental or unauthorized disclosure, and to comply with the information security policies and procedures. Note that student records and health records are subject to additional legal safeguards. An employee may access or disclose confidential and sensitive information only as permitted by contract, state or federal law or regulation, the scope of the employee's employment, or approved U.T. Austin policy. Requests for documents under the Texas Public Information Act should be referred to the Vice President and Chief Financial Officer. Check with your supervisor if you have questions.

**Computer System Access and Passwords.** No employee may knowingly access a computer, system or network without the consent of the owner or system authority, nor may any employee intentionally or knowingly disclose a password, identification code, debit card or bank account number, or other confidential information about a computer or information security system without the consent of the owner or system authority. The owner is the person(s) with administrative responsibility to gather, maintain, and ensure the continued integrity of the computer system or information resource being protected, and is wholly responsible for

## Q&A

*May I use my office computer to look at web sites for personal reasons?*

**Maybe.** Although infrequent use that does not impact your job performance or violate any other University policies is allowed, the University has a limited capacity for Internet use. Your personal use, if excessive, could restrict legitimate business uses of the Internet, resulting in your not having sufficient time to do your job, and ultimately resulting in additional cost for the University. Personal use should be kept to a minimum..

*My department wants to award service/safety awards to some outstanding employees. May state-appropriated funds be used for this?*

**Yes,** up to \$50 per individual award. A savings bond with a maturity value in excess of \$50 may be given if the purchase price is \$50 or less.

*I am an officer in Big Brothers of Travis County. Can I use my computer to maintain a database for this organization?*

**No.** While U.T. Austin encourages employees' involvement in service organizations, U.T. Austin resources cannot be used to support external organizations.

*I am a faculty member. May I use a University computer to write a textbook/software from which I and not the University will profit?*

**Yes.** Writing of professional articles, textbooks, or computer programs is considered part of a faculty member's obligation toward effective teaching and scholarship and public service. Writing a definitive text or research article furthers the interest and reputation of the University as well as the individual.

*My department does not have enough money to have a copy of a specialized program on every computer. I copied the program from someone else's computer and put it on mine. Is that okay?*

**No.** This is a violation of federal copyright laws. Check with the ACITS (512) 475-9300 or ACS (512) 471-7128 to determine whether a cost effective site license is available for this program.

*I am out of town and need confidential information from my office computer. I call the office and ask my assistant to get the information for me. To do this, I must tell her my computer password. Is this wrong?*

**Yes.** It is a violation of University policy to disclose computer passwords. Computer passwords should be considered highly confidential and should never be disclosed to anyone. Data that is protected by passwords is vulnerable to damage, theft, or disclosure.

*I have trouble remembering passwords, so I just use my initials. Is this wrong?*

**Yes.** A trivial or easily-guessed password provides very little protection against unauthorized access to University resources. Studies show that 20-40% of passwords can be guessed or determined by repeated trial and error. Always select a complex password such as a combination of letters, numbers, and punctuation symbols, even if it's initially difficult to remember.

## Q&A

*What should I do if someone calls requesting that I change or reveal my password?*

**Don't do it.** Individuals seeking unauthorized access to information often use such so-called "social engineering" to find out passwords or other access mechanisms. No responsible systems authority would call you in this manner. If you receive such a request, report the circumstances to your supervisor or University Police immediately.

*I have an office procurement card (procard), which I use to buy office equipment and supplies. I carry it with me rather than leaving it in the office. One day I forgot my wallet and checkbook when I went to the grocery but found the procard in the side pocket of my purse. Can I pay for the groceries with that and reimburse the University?*

**No.** University procards should be used **ONLY** in purchases for University good and services; **NEVER** for your personal items.

*My son plays in a popular local band. My department is having an official occasion and would like to hire the band my son plays in. Is this possible?*

**Possibly.** The request to hire the band would need to be processed by the U.T. Purchasing Office (512) 471-4266 and final approval for engaging this band may have to be provided by the U.T. System Executive Vice Chancellor for Academic Affairs because the band involves a family member of a U.T. Austin employee; however, the President can approve this transaction if it is less than \$5000.

*On my lunch hour, I thought of a great invention that would save U.T. Austin time and money. Do I own my idea?*

**Probably not;** especially if the idea is related to your job. You thought of it on University time and/or using University resources.

determining who may and may not access that system and/or resource. Users are responsible for unauthorized access to information resources that result from their negligence in maintaining the confidentiality of their password or other authenticating information or device.

**Purchasing.** No employee may expend U.T. Austin funds for any purchase unless the person is authorized to make the purchase, and unless the purchase is made in accordance with all institutional purchasing procedures, including those concerning Historically Underutilized Businesses. Purchases from, or sales to, an employee or immediate family member of supplies, materials, services, equipment, or property must have the prior approval of the President of U.T. Austin and the applicable Vice Chancellor of U.T. System, except purchases made at a public auction, and those under \$5000 if approved by the President of U.T. Austin. Questions regarding U.T. Austin's purchasing policies may be directed to the Director of Purchasing (512) 471-4266.

**Solicitation.** *The Regents' Rules and Regulations* prohibit the selling of goods and services on campus by any person, including University employees. This would include books authored by a speaker at a sponsored event, crafts, cosmetics, baked goods for children's organizations and many other things. There are **very few** exceptions. Please check with the Office of Institutional Relations and Legal Affairs or the Office of Institutional Compliance before any such activity is contemplated.

## 9. Copyright and Intellectual Property

**Use of Copyrighted Material.** Permission must be obtained from the copyright owner to use copyrighted materials where such use is not a "fair use" and extends beyond the boundaries of the guidelines contained in *Fair Use of Copyrighted Materials* (<http://www.utsystem.edu/ogc/IntellectualProperty/copypol2.htm>), as stated by the U.T. System Office of General Counsel. Most works should be presumed to be protected by copyright, unless further information from the copyright holder or express notice reveals that the copyright holder intends the work to be freely used by the public.

Faculty should review the referenced Office of General Counsel materials carefully.

**Intellectual Property.** Scholarly works are owned by their authors if the author is a faculty member, professional, non-faculty researcher or student. Their scholarly works do not have to be disclosed to or reviewed by the institution. Works

by persons specifically hired to produce them are owned by the Board of Regents. The Board of Regents owns the other types of intellectual property created by its students and employees if the intellectual property is created by an employee within the scope of employment; created by an employee on U.T. Austin time with the use of University facilities or state financial support; commissioned by U.T. Austin pursuant to a signed contract; and the work fits within one of the nine categories of works considered works for hire under copyright laws; or results from research supported by federal funds or third party sponsorship. An employee must disclose the intellectual property created by the employee to U.T. Austin's Intellectual Property Committee well before the employee submits any information about the intellectual property for publication, or makes any public disclosure or even a private disclosure to a commercial entity. This Committee reports to the Vice President for Research at (512) 471-2877.

## 10. Political Activities and Contributions

**Political Activities.** An employee may participate in political activities only if such activities are not conducted during work hours; are in compliance with the Constitution and laws of the State of Texas; do not interfere with the discharge and performance of the employee's duties and responsibilities; do not involve the use of equipment, supplies, or services of U.T. Austin; do not involve the attempt to coerce students, faculty, or staff to participate in or support the political activity; do not involve U.T. Austin in partisan politics; and do not depict the employee as representing U.T. Austin or the U.T. System. You may hold a political office that offers a salary, but you may not accept the salary.

**Political Contributions.** Political contributions from any U.T. Austin funds are prohibited.

## 11. Gifts, Gratuities and Estates

**Gifts to U.T. Austin.** Faculty and staff are NOT authorized to accept gifts or endowments on behalf of the University. This process is handled by the Office of Resource Development at (512) 471-5424 or the individual college/school development office.

**Gifts made to Influence Decisions.** An employee must not accept or solicit any gift, favor, or service that might reasonably tend to influence the discharge of the employee's official duties or that the employee knows or should know is being offered with the intent to influence the employee's official conduct. Be suspicious of gifts costing \$50 or more. "Token" gifts such as

*I work for the committee to re-elect a state political candidate. Can I distribute campaign brochures to other U.T. Austin employees on campus?*

**No.** You may not distribute campaign material on U.T. Austin property or campaign for a candidate while on duty at U.T. Austin. However, you are free to distribute these materials after hours and off-campus.

*I noticed that a flyer is posted on a U.T. Austin door advertising a party for a political candidate. Is it ok for this ad to be posted on U.T. Austin property?*

**No.** No one should ever post any type of advertisement for any political candidate on any U.T. Austin property.

*My supervisor is a city council member. May I use the U.T. Austin copier in my office to copy items for the City Council?*

**No.** Politely remind your boss that items for city council must be copied elsewhere. U.T. Austin equipment or employees may not be utilized to prepare items or communications for a local government organization.

*A corporation is donating some used equipment to my department, and provided a gift agreement requiring a signature from U.T. Austin. May the faculty member who will use the equipment sign the agreement?*

**No.** Contact the Office of Resource Development at (512) 471-5424 for instructions on handling the agreement.

## Q&A

*As a department head, I have been working with a U.T. Austin vendor for several years. This vendor recently offered to do some landscaping work for me at a substantial discount. Can I let him re-landscape my yard?*  
**No.** A substantial discount would mean that the vendor was giving you special service with the expectation that you could provide continued or additional U.T. Austin business for this vendor.

T-shirts or normal lunch are ok. Gifts such as dinner and basketball game tickets are acceptable ONLY if the person providing it accompanies the employee because of the value involved. Cash, checks and gift certificates are never acceptable in any amount.

**Gifts from Persons Doing Business with U.T. Austin and/or U.T. System.** An employee must not solicit, accept, or agree to accept any benefit from a person the employee knows may have a business relationship with the U.T. System or U.T. Austin, except as permitted under Section 36.10 of the Texas Penal Code. If in doubt, do not accept a benefit offered to you because you are a U.T. Austin employee. See also Texas Penal Code, Section 36.08.

**Honoraria.** An employee must not solicit, accept or agree to accept an honorarium for services he or she performs if the employee would not have been asked to provide those services except for the employee's official position or duties. Faculty may accept such honoraria for professional lectures or other similar occasions, provided it complies with the University rules on outside employment.

**Estates.** An employee who agrees to serve as executor/administrator of an estate benefiting a U.T. System component must notify the U.T. System Office of Estates and Trusts immediately at (512) 499-4300. Employees should NOT serve as a witness to a will benefiting a U.T. System component.



**B. Protection of the Environment.** Manage and dispose of hazardous materials properly.

**C. Drugs and Weapons.** You may not have or use illegal drugs, alcohol, or weapons at work. You may be disciplined or fired for doing so. You must report to your supervisor or HRS within 5 business days if you are found guilty of controlled substance abuse that has occurred in or on U.T. property.

**7. Entering Into Contracts and Agreements.** There are very few employees who are authorized to sign a contract or agreement for the University. Check with your supervisor before doing so.

#### **8. Use of UT and State Resources**

**A. Use of State Property.** Generally, you may not use the University's property for non-work activities. Incidental personal use of information technology resources (phones, computers, *et al.*) is allowed if such use does not result in added cost to the University or hinder your work performance. Check with your supervisor.

**B. Computer Software.** Abide by all software licenses. Some software is licensed for individual computers, some is licensed for university-wide use, and some is freely distributed over the Internet. It is your responsibility to know which licensing scheme applies to software you use, and to make no unauthorized copies of software for yourself or anyone else.

**C. Information Security and Confidentiality.** Employees must not disclose confidential University information; student records and health records are subject to additional legal safeguards. Requests for documents under the Texas Public Information Act should be referred to the Vice President and Chief Financial Officer.

**D. Computer System Access and Passwords.** You are responsible to select a secure password and to protect it from disclosure. You may not access computers, systems, or networks without authorization.

**E. Property in your possession.** You may have to pay for University property you damage or lose if you are not reasonably careful with it. The level of care required depends on the item and its value.

**F. Purchasing.** You may not spend University funds except as authorized. Generally, you may not buy things from or sell things to the University without special prior approval. Follow the policy on purchasing from HUBs (Historically Underutilized Businesses).

#### **9. Copyright and Intellectual Property**

**A. Use of Copyrighted Materials.** In general, you must obtain permission from the copyright owner to use his or her work. Guidelines offer specific limitations on the purpose, amount and numbers of copies you can make without getting permission. You should check *Fair Use of Copyrighted Materials*.

**B. Intellectual Property.** Generally, the Board of Regents owns the rights to inventions, research and writings by non-faculty created at work, with U.T. Austin facilities and equipment. Employees who create these things must tell the Intellectual Property Committee in the Office of the Vice President for Research about their creation before making it publicly known or applying for government approvals.

#### **10. Political Activities and Contributions**

**A. Political Activities.** You may not participate in political activities, such as campaigning for elections, during work hours or at other times if it interferes with your work duties. You cannot use U.T. Austin equipment or supplies to do political activities. You may hold a political office that offers a salary, but you may not accept the salary.

**B. Contributions.** You may not use U.T. Austin funds to make political contributions.

#### **11. Gifts, Honoraria and Estates**

**A. Gifts to U.T. Austin.** Faculty and staff are NOT authorized to accept gifts on behalf of the University.

**B. Gifts To Influence You.** You may not ask for or take any gift or favor that might influence a decision you make in your job or that you should know someone is offering to try to influence your decision. No gifts over \$50 may be accepted. Token gifts (t-shirts, lunch) are acceptable, but you may not accept any cash or gift certificates.

**C. Gifts from Persons Doing Business with U.T. Austin/System.** Do not ask for or accept such gifts.

**D. Honoraria.** Staff must not ask for, accept or agree to accept a payment for doing something that you would not be asked to do if you were not employed at the University.

**E. Estates.** Notify U.T. System if you are executor of a will benefiting a component institution. Do not act as witness to a will.

To report suspected non-compliance, call the Office of Institutional Compliance at (512) 232-7055 or the anonymous Helpline at 1-877-888-0002 or write to PO BOX 8118, Austin, Texas 78713 or e-mail [helpline@compliance.utexas.edu](mailto:helpline@compliance.utexas.edu).

**The University of Texas at Austin  
Employee Compliance Guide  
Acknowledgment Form**

**I HEREBY ACKNOWLEDGE AND AGREE:**

1. That I have received a copy of the “Employee Compliance Guide”.
2. That I have read this guide and understand that I am responsible and accountable for conducting my daily work activities in an honest and professional manner.
3. That I will obey the rules and regulations and policies and procedures outlined in this Guide.
4. That this original acknowledgment will be placed in my department personnel file and maintained by my department.

\_\_\_\_\_  
Employee Name (printed)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Name (printed)

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

**Once you have read this Compliance Guide and have signed your name above, please tear out this sheet and turn it in to your supervisor for signature and filing.**



## Things to Remember

- ❖ Do not discriminate against an employee or applicant or vendor because of race, gender, religion, national origin, color, age, disability, sexual orientation or preference or Veteran's status
- ❖ Commit to high standards of business and ethical conduct in all activities
- ❖ Respect the rights of others
- ❖ Avoid conflicts of interest and self dealing
- ❖ Participate in lobbying and political activities only on your own time
- ❖ Be aware of laws, rules, regulations and policies that apply to what you are doing
- ❖ Adhere to applicable laws, rules, regulations and policies
- ❖ Use University assets for institutional purposes, except for incidental personal use
- ❖ Assure that purchase order and expense account records are true and accurate
- ❖ Observe sound business practices in effort reporting and billing services
- ❖ Do not accept any gift that could appear to influence your official conduct
- ❖ Maintain absolute confidentiality regarding student educational records, employee personnel records and medical records
- ❖ Report any perceived wrongdoing to your supervisor or the Office of Institutional Compliance
- ❖ Do not destroy any records except in accordance with the records retention schedule

## What should I do if I suspect something is wrong?

It is every faculty member and employee's ethical and moral responsibility to report suspected waste, fraud, abuse, and other illegal activities or unethical conduct. Promptly notify appropriate University officials of the facts and circumstances of any suspected violation of laws, rules, regulations or policies affecting the operation of the University. University policies and federal and state laws protect individuals who provide information regarding possible illegal activities in the workplace from retaliation. You do not have to identify yourself if you mail a complaint or call the hotline. Cooperate fully with all inquiries or investigations.

### **The University of Texas at Austin Fraud and Abuse Reports**

When you have good cause to suspect something is wrong:

- ◇ Call the Compliance Helpline at 1-877-888-0002
- ◇ Mail a written complaint to PO BOX 8118, Austin, TX 78713
- ◇ Send an e-mail to [helpline@compliance.utexas.edu](mailto:helpline@compliance.utexas.edu)
- ◇ Call the Office of Institutional Compliance at (512) 232-7055

*“Do the Right Thing”*

### *Office Contact List*

<b>Area</b>	<b>Telephone</b>
<b>Business Contracts</b>	(512) 471-1422
<b>Environmental Health &amp; Safety</b>	(512) 471-3511
<b>Equal Opportunity Services</b>	(512) 471-1849
<b>Gifts to U.T. Austin</b>	(512) 471-5424
<b>Human Resource Services</b>	(512) 471-4343
<b>Information Technology, Software, Security &amp; Passwords</b>	(512) 232-9610
<b>Institutional Compliance</b>	(512) 232-7055
<b>Internal Audit</b>	(512) 471-7117
<b>Police Department</b>	(512) 471-4441
<b>Public Affairs</b>	(512) 471-3151
<b>Purchasing</b>	(512) 471-4266
<b>Records Retention</b>	(512) 471-4503
<b>Research Support and Compliance</b>	(512) 471-8871
<b>Research Contracts and (Grants) Agreements</b>	
<b>Office of Sponsored Projects</b>	(512) 471-6424
<b>Office of Accounting</b>	(512) 471-3723
<b>Student Financial Services</b>	(512) 475-6282
<b>Technology Licensing &amp; Intellectual Property</b>	(512) 471-2995
<b>Texas Public Information Act</b>	(512) 471-1422
<b>University Services</b>	(512) 232-2437

**Compliance Helpline**  
**Compliance E-mail**  
**Compliance Mailbox**

**1-877-888-0002**  
**helpline@compliance.utexas.edu**  
**PO BOX 8118**  
**Austin, Texas 78713**



