

MISSISSIPPI STATE UNIVERSITY

DEPARTMENT OF HUMAN RESOURCES MANAGEMENT

CONFLICT OF INTEREST/ETHICS

POLICY

Mississippi law requires all Mississippi State University employees to abide by certain conflict of interest and ethical standards as public employees. All University employees have both a legal and ethical obligation to comply with all applicable ethics in government laws (“ethics laws”). See, e.g. Miss. Code Ann. §§ 25-4-101 et seq. (1972); § 109, Miss. Const. of 1890.

Specifically, a University employee may not use his or her position at the University to obtain or attempt to obtain a financial benefit for his/herself (other than the employee’s compensation as a University employee), a family member, or any business with which the employee or a family member is associated. Subject to certain limited exceptions, a conflict of interest would include, without limitation, the following:

1. An employee that has direct or indirect involvement in the procurement of goods or services on behalf of the University and the employee or his/her relative has a financial interest in the procurement.
2. An employee has direct or indirect involvement in the procurement of goods or services on behalf of the University from a business in which the employee or the employee’s relative has a material financial interest.
3. An employee has direct or indirect involvement in the procurement of goods or services on behalf of the University from a business or person with whom the employee or a relative is negotiating or has arranged prospective employment.
4. An employee procuring goods or services from the University at an auction or at a sale when the goods or services are not offered to the general public at a uniform price.

In addition, no employee may intentionally use or disclose information gained through his/her employment at the University that could result in financial benefit to the employee, a relative of the employee, or any other person, if the information has not been communicated to the public or is not public information.

The above general prohibitions do not include all prohibitions under Mississippi ethics laws. However, they do set the tone for University employees in complying with applicable ethics laws. University employees should also be mindful of other University policies that pertain to ethics in procurement and contracting. See Anti-Kick Back and Procurement Ethics in Public Contracting and Financial Conflict of Interest in Sponsored Activities.

A violation of state ethics laws could result in repayment of funds by the employee, civil fines, and/or criminal prosecution. An employee who violates state ethics laws may also be subject to disciplinary action, up to and including termination.

PROCEDURE

Employees who are uncertain as to whether an activity is prohibited by state ethics laws are encouraged to ask for additional information through the appropriate administrative channels. Employees also are encouraged to seek private consultation/advice from their personal attorney.

Supervisors who receive inquiries from employees or who have concerns regarding whether an employee's activity complies with applicable ethics laws should forward any such inquiries/concerns through the proper administrative channels to the appropriate Vice-President, who in turn should contact the Office of General Counsel. The Office of General Counsel has been designated by the President as the Ethics Official for Mississippi State University.

REFERENCES

Mississippi Code of 1972, Ann., Secs. 25-4-101 et seq

Section 109 of the Mississippi Constitution of 1890

Mississippi Ethics Commission website: www.ethics.state.ms.us

REVIEW:

This policy will be reviewed by the [Chief Human Resources Officer](#) at least every four years.

HRM #60-416
Effective 4/1/94
Reviewed (02/24/14)

Recommended by:

/s/ Judy Spencer
Director of Human Resources Management

01/29/14
Date

/s/ Jerome A. Gilbert
Provost and Executive Vice President

01/29/14
Date

Reviewed by:

/s/ Lesia Ervin
Director of Internal Audit

01/30/14
Date

/s/ Joan L. Lucas
General Counsel

01/30/14
Date

APPROVED:

/s/ Mark Keenum
President

02/24/14
Date