

ARTICLE 7
OUTSIDE EMPLOYMENT OR ACITIVITY /ADDITIONAL EMPLOYMENT
CONFLICT OF INTEREST

7.1 Policy.

A. A graduate assistant is bound to observe, in all official acts, the highest standards of ethics consistent with the code of ethics of the State of Florida (Chapter 112, Part III, Florida Statutes), the advisory opinions rendered with respect thereto, and University regulations and policies.

B. Nothing in this Article is intended to discourage a graduate assistant from engaging in outside activity in order to increase the graduate assistant's professional reputation or service to the community, subject to the conditions stated herein. Nothing herein shall abridge graduate assistants' rights to academic freedom and freedom of expression as outlined in Article 5.

C. Any outside employment, additional employment, or other activities that interfere with an employee's obligation to the University or that constitute a conflict of interest are prohibited. No employee who engages in outside employment, additional employment, or other activity shall claim to be an official University representative in connection with the outside employment, additional employment or other activity. No employee may use University personnel, equipment, or facilities in connection with the outside employment, additional employment, or other activity without prior approval by the University President or designee. Approval for the use of University facilities, equipment, or services may be conditioned upon reimbursement for the use thereof.

7.2 Terms.

A. "Outside employment or other activity" is defined as private practice, private consulting, additional teaching or research, or other professional activity, whether compensated or uncompensated, which is not part of an employee's assigned University duties, conducted by the employee outside of the employee's University appointment with a non-University entity or entities.

B. "Conflict of interest" is defined as any situation in which the regard for the private interests of the employee tends to lead to a disregard of employee's public duties or interests owed to the University or the State of Florida, including conflicts of interest specified under Florida Statutes, or any activity that interferes with the full performance of the employee's obligations to the University.

C. “Additional employment” is any compensated work within the University that serves as an additional appointment to the employee’s primary appointment in the bargaining unit, as defined in Article 1.1.

D. “Relatives” are individuals related to each other in the following ways, whether by blood, adoption, marriage (in-laws/step), or other legal action: spouses, parents, grandparents, children, grandchildren, siblings, aunts/uncles, or nieces/nephews. This definition also includes persons living together in a single household as a family unit.

7.3 Permissibility of Outside Employment or Other Activity and Additional Employment.

A. Departments shall permit outside employment or other activity to the extent that such outside employment or other activity does not constitute a conflict of interest, as defined in Section 7.2 (B).

B. Additional employment shall be permitted to the extent that such additional employment does not constitute a conflict of interest as defined in Section 7.2 (B) and fully complies with the workload limitations as specified in Article 6.1 (A).

7.4 Report of Outside Employment or Other Activity and Additional Employment.

A. Prior to beginning any outside employment or activity that may be a conflict of interest, as that term is defined in this Article, a graduate assistant shall use the University’s reporting system to request pre-approval. The appropriate administrator shall assess whether such activity or employment constitutes a conflict of interest and will either approve, deny, or request additional information. Graduate students shall annually update their disclosure using the University’s reporting system and indicate whether they plan to engage in any outside employment or other activity during the upcoming year.

B. The report shall include, where applicable, the name of the employer or other recipient of services; the funding source; the location where such activity shall be performed; the days and hours involved; and the nature and extent of the activity.

C. As an alternative to the expedited grievance process outlined in Article 11.15, in the event the proposed outside activity, outside employment, or additional employment is determined to constitute a conflict of interest, or is otherwise denied, the employee may seek the written opinion of the UFF-FSU-GAU President or designee, within five (5) days. Within ten days (10) of the original decision, the employee may seek a review in writing

by the University Review Committee on Outside Activities and Conflict of Interest, or a subcommittee of at least three members thereof, for an advisory opinion, unless the Committee has been consulted previously on this matter. The written opinion of the UFF-FSU-GAU President or designee shall be considered by the Committee. The Committee shall render its opinion in writing within seven (7) days of receipt of the graduate assistant's request. If the Committee concludes that the outside activity should have been approved, it shall consult with the approving authority to seek resolution on the matter. Should satisfactory resolution not be attained, the Committee may recommend to the Dean of the Graduate School that the activity be approved. The employee may continue the outside or additional employment in question, until such time as the Dean of the Graduate School deems that the employment is not permissible.

7.5 Sexual/romantic relationships with students. Sexual/romantic relationships between graduate assistants and students where a direct supervisory or evaluative relationship exists are fraught with the potential for exploitation. The respect and trust accorded a graduate assistant by a student, as well as the power exercised by the graduate assistant in a direct supervisory or evaluative role, make voluntary consent by the student suspect. In their sexual/romantic relationships with students under their direct supervision, graduate assistants are expected to be aware of their professional responsibilities and to avoid conflict of interest, favoritism, or bias.

- A. When any direct supervisory or evaluative role exists, a consensual sexual relationship between a student and a graduate assistant is a conflict of interest.
- B. Any situation of direct supervision or evaluation will be ended immediately when a consensual sexual relationship between a student and a graduate assistant exists.
- C. Any such relationship must be disclosed to the graduate assistant's supervisor immediately.
- D. Direct supervision includes any type of evaluative role.

7.6 Other relationships with students. Graduate Assistants may not serve in a direct teaching or supervisory role for students who are relatives, as defined in this Article. In rare cases, and only when no other viable option exists, an exception may be requested in writing for review and approval by the Graduate School and the Provost, who may add conditions to mitigate the possibility of bias.