



Office of General Counsel

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To: President Ray Cross

From: Quinn Williams *Q.W.*
General Counsel

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Re: Employee Ethics/Public Records Management Brochure

Please find enclosed a copy of a handout from the Office of General Counsel addressing employee ethics and public records management. This brochure will be distributed electronically to all UW System employees during the current outside activities reporting period. Additionally, copies will be provided to campuses to be included in orientation materials for new employees and during ethics trainings.

If you have any questions about the document, please do not hesitate to contact this office.

Enclosure

Cc: Chancellors
HR Directors
CBOs

Employee Ethics & Public Records Management

EMPLOYEE ETHICS

University of Wisconsin System employees are subject to ethics rules covering use of university resources, conflicts of interest, and acceptance of gifts. As a general rule, an employee may not use his or her university position to gain private financial or other benefits for the employee, the employee's immediate family, or organizations with which they are associated.

◆ Use of University Resources

University resources such as office supplies, letterhead, meeting rooms, and work time may be used only for university purposes. While you may use your university phone and email for minimal personal use consistent with university policies, employees are encouraged to use private accounts for personal matters and limit use of their university email accounts for university business. Personal emails using a university email account may be subject to and/or reviewed in response to subpoenas and public records requests. Please note, that University email or texts sent on personal accounts will be subject to public records requests.

◆ Outside Activities

If you have an opportunity to perform consulting or other activity for an outside organization that is related to your university responsibilities, you must report the opportunity through your institution's outside activity reporting process.

◆ Personal Relationship with Vendors

If you have a personal or familial relationship with a vendor who is doing business with your department or work area, you must disclose that relationship to your supervisor so that steps can be taken if necessary to minimize or remove any potential conflict of interest.

◆ Vendor-Sponsored Conferences

If you wish to attend a vendor-sponsored conference and are in a position to approve or influence the university's decision to award contracts for products or services provided by the vendor, the university should pay all the necessary transportation, lodging and similar costs associated with attending the conference. The conference attendance must primarily benefit the university. Consult your supervisor, dean or director with questions.

◆ Accepting Items of Value

Employees should not accept travel, entertainment (e.g., golf outings, event tickets), or gifts from private individuals or organizations that do business with the university if such gift could be perceived to be given because of your status as a university employee. This rule also applies to members of your immediate family if they receive items of value because of your university employment.

◆ Items of Minimal Value

Employees are generally not prohibited from accepting items of minimal value (e.g. pens, pencils, cups, etc.) from a vendor or similar organization, unless their university position prohibits it (e.g., health care providers).

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◆ Contract Signature Authority

Only certain designated individuals have been delegated legal authority to sign contracts on behalf of the university. You should not sign a contract or agreement unless you have been officially delegated by your institution's contracting authority.

◆ Confidential University Information

You may not use or disclose confidential university information for reasons unrelated to your professional responsibilities or to gain anything of value for yourself or a member of your immediate family.

◆ Nepotism

UW employees should not participate in a decision to hire, retain, promote or determine the salary of a member of their immediate family.

◆ Reporting Ethics Violations

If you are aware of a situation involving potential misuse of university resources or other possible ethics violations, you should report this activity to your supervisor or to the audit hotline: <https://uwaudithotline.tnwreports.com/> or (855) 827-4950

PUBLIC RECORDS MANAGEMENT

As a university employee, all records that you create or receive in connection with the transaction of public business are public records. Proper management of public records is an important function of your job.

◆ Regent Policy: Public Records Management

The roles and responsibilities of university employees in properly managing public records are set forth in Regent Policy Document 3-2 University of Wisconsin System Public Records Management Policy, available online at: <https://www.wisconsin.edu/regents/policies/>

◆ Public Records Management

Public records can be destroyed only in accordance with records destruction authorization schedules that have been approved by the State of Wisconsin Public Records Board. The schedules establish the length of time records must be retained before destruction or transfer to UW Archives for permanent storage.

◆ UW General Records Schedules

Each institution has appointed a records and forms officer to assist you with records retention questions. General retention records schedules apply to all UW institutions and are located on the campus records retention web site and on the UW System Office of General Counsel site.

Employee Ethics & Public Records Management

◆ Regent Policy: Information Technology Resources

The use of UW information technology resources by employees is governed by Regent Policy Document 25-3 Policy on Use of University Information Technology Resources, available online at: <https://www.wisconsin.edu/regents/policies/>

◆ Electronic Records

Electronic or digital communications related to university business such as email or texts are considered public records and must be retained in accordance with public records schedules, even if created on personal devices. For this reason, employees are strongly encouraged to use University resources to perform University work.

◆ Confidentiality Required by Law

Several state and federal laws require confidentiality for some public records, such as medical or student records. Ask your supervisor, dean or director whether any confidentiality requirements affect your management of public records.

◆ Supervisors

Supervisors have specific records retention obligations for departing employee records. Please contact your records and forms officer for more information.

◆ Public Access to Records

Most UW records are subject to disclosure upon request, but some records can or must be redacted or withheld under the public records law. All UW institutions have a records custodian who is responsible for responding to public records requests. If you receive an oral or written request for records, do not make determinations about disclosure yourself. Instead, contact your records custodian.

APPLICABLE STATUTES AND RULES

◆ Code of Ethics for Public Officials and Employees: Wis. Stat. Section 19.45

◆ Unclassified Staff Code of Ethics. Chapter UWS 8, Wis. Admin Code

◆ Wisconsin Public Records Law, Wis. Stat. Section 19.31 et seq.

◆ State of Wisconsin Executive Order #189

◆ Electronic Records Management, Standards and Requirements: Chapter ADM 12, Wis. Admin. Code