



**Conflict of Interest Policy
Lawrence Hall of Science
Updated July 2023**

Lawrence Hall of Science employees may encounter a situation that constitutes a [conflict of interest as defined by UC Berkeley](#). This policy applies directly to all employee appointment types (contract, career, limited, recall, academic, etc.). This document provides common examples and definitions of “conflict of interest” to guide Lawrence employees in decision-making related to possible conflicts of interest.

What is a “conflict of interest?”

The University’s general policy on conflict of interest is that no one employed by the University shall engage in activities that place them in a conflict of interest between activities associated with their official employment and any other interest or obligation. The basic principle is that as a University employee, your primary goal must be to act with the best interests of the University in mind and refrain from making, participating in, attempting to influence or influencing decisions when you have a personal interest in the results of those decisions.

Conflicts of interest may occur when employees make decisions that benefit themselves, their families or associates at the expense of UC the Lawrence. Conflicts of interest can arise in paid or volunteer work, during and outside of established working hours, and intentionally or unintentionally. While conflict of interest most often relates to personal financial gain, it can also relate to whether the employee’s professional actions or decisions are improperly influenced by their private interests (e.g. negotiating a catering contract with a business owned by a family member, or hiring and/or supervising a family member). The University considers the appearance of conflicts of interest to be as serious as the actual conflicts themselves.

In summary, conflicts of interest broadly occur in five categories:

- Volunteering (pro-bono work)
- Paid work outside of employee’s work hours
- Paid work during employee’s work hours
- The hiring process (for related and/or romantically involved employees)
- Supervising and providing work direction (for related and/or romantically involved employees)

What to do when a possible conflict of interest arises

All possible conflicts of interest should be disclosed. Disclose the possible conflict of interest to your supervisor and Group Director, who can provide guidance on next steps. Always disclose before any action is taken. Many potential conflict of interest scenarios can be resolved by turning the work into a business contract with the University, providing disclosures (in the case of research projects; more information about qualification and disclosures can be found through [UC Berkeley Research](#)).

When the situation is unclear, the supervisor and Group Director may escalate to The Lawrence's Deputy Director to determine if the scenario constitutes a conflict of interest based on existing contracts and the employee's scope of work, and/or if additional clarification is needed from UC Berkeley's Conflict of Interest Coordinator.

Example scenarios that are considered a conflict of interest:

Note that each scenario is unique. You should still disclose and discuss with your supervisor. In other words, these examples do not constitute decisions on the course of action for these types of scenarios.

- *Employee takes a weekend consulting job to develop an afterschool curriculum with Houghton Mifflin.* This is considered a conflict of interest because The Lawrence also is engaged in contracts to develop curricula. In this case, the employee is acting against the interests of UC Berkeley by taking business that may have been awarded to UC Berkeley. Additionally, the publisher may be a competitor of other publishing companies that have contracts with The Lawrence, and this work could violate terms of those contracts.
- *Employee independently decides to provide a product or service pro-bono that is usually charged for by The Lawrence.* This uses the University's intellectual property without permission and is therefore against the interest of the University, constituting a conflict of interest.
- *Employee works in visitor services, but is approached by an exhibit development company to provide pro bono advising services as they build a new exhibit.* Even though the employee does not work in exhibition development, this is still considered a conflict of interest because The Lawrence provides these services. However, if the exhibit development company cuts a contract with The Lawrence for the employee to provide the services, that does *not* constitute a conflict of interest because it is in the interest of the University to provide those services.
- *Employee's partner applies for a job at The Lawrence, and is recommended to the hiring manager by the employee.* This constitutes a conflict of interest because it could result in financial gain (through employment) for the employee, and is not in the best interest of the University because it constitutes an unequal hiring practice. It is also a conflict of interest if the partner is supervised by the employee, formally or informally, even if they were not involved in the hiring process. An employee's partner is not barred from working at The Lawrence, but the employee must not be involved in hiring (including making a recommendation to the hiring manager) and/or supervision.

Example scenarios that are NOT considered a conflict of interest:

Note that each scenario is unique. You should still disclose and discuss with your supervisor. In other words, these examples do not constitute decisions on the course of action for these types of scenarios.

- *Employee agrees to serve as an advisor for a National Science Foundation grant awarded to the Exploratorium.* This is considered within the scope of many employees' job descriptions as they relate to professional service and field-building activities, and may be done using University resources (e.g. employee time). The employee's supervisor can determine if that is the case and help the employee get an agreement in writing. Note that if the advisorship comes with an honorarium or other compensation for services, the employee must have the honorarium/compensation paid to The Lawrence as that constitutes a paid "contract" with UC Berkeley and the payment must go to UC Berkeley.
- *Employee takes an off-hours job as a personal stylist.* Because this type of work is outside of the scope of what The Lawrence does, and is not using University resources (e.g. not occurring during the work hours specified in the employee's contract, not using University equipment or materials), it is not considered a conflict of interest. However, the employee should still disclose this to their supervisor.
- *Employee publishes a book of poetry related to environmental stewardship and climate change.* Although this *content* overlaps with work done by The Lawrence, because this *type of work* is outside of the scope of what The Lawrence does, and is being done on the employee's own time (e.g. not during the work hours specified in the employee's contract), it is not considered a conflict of interest.
- *Employee attends a working dinner paid for by a publisher of one of The Lawrence's curriculum products.* Working meals and meetings are considered to be part of the normal course of business, and are generally not considered to be a conflict of interest. However, if the meal may influence a decision about whether the University works with the publisher or not, that could raise the *appearance* of a conflict of interest and therefore the activity would not be in the interest of the University. The University also establishes monetary gift limits that constitute a conflict of interest.

What to do when a possible conflict of interest arises

Disclose the possible conflict of interest to your supervisor and Group Director, who can provide guidance on next steps. Always disclose before any action is taken. Many potential conflict of interest scenarios can be resolved by turning the work into a business contract with the University, providing disclosures (in the case of research projects; more information about qualification and disclosures can be found through [UC Berkeley Research](#)), and/or taking steps to ensure the activity is not occurring on University time (such as using vacation days for the activity).

When the situation is unclear, the supervisor and Group Director may escalate to The Lawrence's Deputy Director, who will take action and/or further refer the situation as appropriate.