

CALIFORNIA INSTITUTE OF TECHNOLOGY
STAFF PERSONNEL MEMORANDA

Subject: <p style="text-align:center">Outside Activities</p>	Memo No. 9-3 Pages: 3 Date: March 7, 2016
Approved by: Julia McCallin, Associate Vice President for Human Resources	

(This supersedes memo 9-3, dated 4/30/2003)

1. POLICY

It is the policy of the Institute to permit employees to engage in outside employment, consulting, or business activity (“outside activity”) provided that no actual or potential conflict of interest or appearance of such conflict exists with their Institute responsibilities or the Institute’s interests. The outside activity should not adversely affect their ability to perform their jobs.

Employees must not use their Caltech position or affiliation for private gain for themselves or for persons with whom they have personal, business or financial ties. Employees must avoid any outside activity that could reasonably be expected to adversely affect or give the appearance of adversely affecting the independence and objectivity of their judgment.

Employees are encouraged to consider the possible impact that outside activities may have on the limits of their endurance, overall health, and effectiveness at the Institute. Work performed for the Institute at any Institute location is not an outside activity. Employees must consult with Campus or JPL Human Resources for guidance on work performed between Institute locations.

The Institute holds all employees to the same standards of performance and scheduling demands, and cannot make exceptions for employees who are engaged in outside activities. Employees are not permitted to pursue outside activities during their scheduled work without advance permission from the employee’s management to do so.

2. GENERAL

Before engaging in an outside activity employees are required to submit a [Request for Outside Activity](#) and obtain written permission from Human Resources at Campus and the Ethics Office at JPL prior to engaging in an outside activity.

A. Examples of outside activities that may pose a conflict include, but are not limited to:

1. Acting in any capacity with an organization in the same capacity as the employee’s official Institute duties.

2. An outside activity with any interested party (past, current or pending), such as a sponsor, partner, company or subcontractor of the Institute, who has any business dealings with the Institute.
3. Any outside activity, such as the marketing of a service, product or technology, that is the result of knowledge gained from or directly related to the individual's employment at the Institute.
4. Teaching, writing, speaking and other appearances on matters related to the employee's duties or technical areas, products or services in which the Institute may engage.
5. Performing work, including research and development, on matters related to the employee's duties or technical areas, products or services in which the Institute may engage.
6. Any personal activity or financial interest in an organization with which the Institute transacts that is created by the affiliation of a relative or close personal relationship with a member of the organization.
7. Performing work on the behalf of the federal government or any non-U.S. government entity as an employee, consultant, expert or advisor.
8. Professional, civic or volunteer activities related to the employee's duties or technical expertise at the Institute.
9. Self-employment or operating or managing an organization.
10. Engaging in any activity that could create an actual, potential, or the appearance of a conflict of interest.

B. The following activities in conjunction with any outside activity are prohibited:

1. Any activity that creates a real or perceived conflict of interest.
2. Use of Institute resources, including time, personnel, facilities, equipment, services or supplies.
3. Use of the name, seal or letterhead of the Institute in the conduct of the proposed outside activity.
4. Any outside activity where the employee's financial interest in the organization or activity may influence the organization's dealings because of the employee's Institute position.
5. Use or disclosure of Caltech intellectual property without first obtaining the written consent of the Office of General Counsel.
6. Use or disclosure of any proprietary, third party or competition-sensitive information gained as a result of employment with the Institute.
7. Performance of work for an outside organization in support of Institute-related work under an Institute subcontract.
8. Personal involvement, management or interface on dealings representing the outside organization to the Institute.
9. Promotion or solicitation of the outside activity, organization or the organization's products, services or technologies to the Institute.
10. Technology development in areas related to the employee's duties or technical areas, products or services in which the Institute may engage without prior written approval of Caltech.
11. Competing with or assisting any organization to compete with the Institute's interests. Outside activity opportunities related to the employee's official responsibilities or the Institute's interest are to be evaluated by management as official business.

- C. Employees shall disclose immediately any new facts or information or activities that may affect or change the substantive nature of the outside activity.

3. PROCEDURES

- A. Prior to engaging an outside activity, the employee must disclose all pertinent information by completing Caltech Form PM 9-3 (or JPL Form 7412), [Request for Outside Activity](#) and submit to the cognizant supervisor.
- B. Upon receipt of the completed form, the supervisor will evaluate and discuss the impact of the proposed outside activity, specifically any potential conflicts of interest with the employee.
- C. If approval is given, the form will be submitted to the cognizant division chairperson or department director at Campus and Section and Division management at JPL, and if appropriate, JPL Directorate approval.
- D. Once management approval is obtained, Human Resources at Campus or the Ethics Office at JPL reviews the Request.
- E. Approved Requests for Outside Activities are subject to annual review and renewal.