

Compliance Matters

A Publication from the Office of Compliance and Risk Management

Fall 2019



NYU's Required Sexual Harassment Prevention Training for Employees

The New Sexual Harassment Training Mandate

As national and international momentum has grown to address the subject of sexual misconduct and sexual harassment, state and local laws have followed with regulatory directives. New York State has recently enacted a mandatory sexual harassment prevention training requirement. This regulatory mandate applies to all NYU employees -- faculty, administrators, staff and student workers -- who are based in New York State. **The deadline for completing this training is October 9, 2019 and it must be completed on an annual basis thereafter.** For those who have not completed this required training, which takes about an hour, this serves as a reminder to please do so by October 9th.

The training is offered online through NYU's iLearn portal. The iLearn course description is as follows:

[OEO 150: NYU Sexual Harassment Prevention Training \(2019\)](#)

In this online interactive training, you will learn important definitions and examples of sexual harassment; encounter a number of interactive case studies on the types of behavior that can constitute sexual harassment; and receive important information regarding *NYU's Non-Discrimination and Anti-Harassment Policy and Complaint Procedures for Employees*.

To access the required training, please click on the link below and press "Launch" to start:

<https://shibboleth.nyu.edu/idp/profile/SAML2/Unsolicited/SSO?providerId=https://nyu.absorbtraining.com/Account/SAML&target=https://nyu.absorbtraining.com/account/saml?CourseId=517f1976-7e5e-4797-a93f-b7a53cf0ace2>

Employees using a screen reader to access content should contact NYU's Office of Equal Opportunity ("OEO") in person (726 Broadway, New York, NY 10003), or by phone (+1 212-998-2370), or by email (equal.opportunity@nyu.edu) to obtain a fully accessible PDF version of the online training. If employees have any questions as to whether they have met the training requirement, they may check their transcript in NYUiLearn to confirm completion. For any technical issues, employees may contact PeopleLink by phone (+1 212-992-5465) or by email (askpeoplelink@nyu.edu) or OEO at equal.opportunity@nyu.edu

At the end of the training, employees must complete and sign the acknowledgement which will generate a certification that the training has been completed. Supervisors should allow this training to be completed during regular work hours.

In This Issue:

- Required Sexual Harassment Training, page 1
- Identifying, Disclosing and Managing Research Conflicts of Interest, pages 2-3
- NYU and NYU Shanghai Compliance and Risk Reporting Lines, pages 3-4
- Work Life Office, page 5
- Policy Post— New and Updated University Policies, page 5

Identifying, Disclosing and Managing Research Conflicts of Interest

By Erik Schneebeck, Director, Office of Conflict of Interest

As academic research becomes more collaborative and federal sponsor dollars become even more competitive, University interactions with industry sponsors are increasingly common. Industry partnerships provide important opportunities both as a source of research funding and to bring research outcomes to the public. At the same time, industry interactions have the potential to create conflicts of interest between NYU researchers' responsibilities to the University and any personal interests they might have in the industry partner.

It is important to keep in mind that not all industry interactions create conflicts of interest and that, when they do arise, research conflicts are not inherently unethical. In fact, federal regulations on research-related conflicts of interest do not require that all conflicts be completely eliminated; rather, they require federal grant recipients to appropriately and effectively manage the conflict.

What is a research conflict of interest?

A conflict of interest that is related to NYU research arises when an NYU researcher has a personal financial interest or engages in non-NYU outside activities that could reasonably affect, or appear to affect, the design, conduct, or reporting of research. In more practical terms, research conflicts exist when the research outcomes could impact a researcher's outside interests, or if the researcher's outside interests could impact the objectivity of the research.

Outside interests that can create research conflicts

There are a number of outside interests that can create a conflict with an NYU researcher's work. In some cases, these are purely financial interests, but non-financial conflicts of interest can also occur. Here are some basic scenarios:

- A researcher serves as a paid consultant to a company that also sponsors their NYU research.
 - This may give rise to a financial conflict of interest for the research that is sponsored by the company.
- A researcher serves on the board of directors of a non-profit foundation that sponsors their NYU research.
 - Even if this activity does not include any financial compensation, the researcher may have a non-financial conflict of interest, especially if they are advising on funding allocation decisions related to their research.
- A researcher creates a start-up company that licenses technology from NYU and wants to contract with NYU to perform additional work using the technology.
 - Here, the researcher may have financial and non-financial conflicts of interest. The researcher has a financial interest in the commercial success of the technology. As an owner of the start-up, the researcher may have a non-financial conflict due to fiduciary obligations to the company or because the amount of time devoted to the company could impact their ability to fulfill their NYU responsibilities.

How does NYU identify research conflicts?

NYU maintains a policy on [Academic Conflict of Interest and Conflict of Commitment](#) that applies to members of NYU's research community. This policy is compliant with regulations set forth by the Public Health Service, and applies to all research and other sponsored projects conducted at NYU. *Continued on page 3.*

Identifying, Disclosing and Managing Research Conflicts of Interest *(continued from page 2)*

Under the Policy, full-time faculty must complete an annual conflict of interest disclosure survey. In addition, all Investigators on a sponsored research project, regardless of their University title, must certify their outside interest and activity disclosures are complete and accurate. When an award is made, the Investigators' School Dean or Center Director reviews the certifications to determine if any disclosed activities create or reasonably appear to create a conflict of interest. The Office of Conflict of Interest serves as a resource to the Deans and Directors at the NYU Washington Square Campus and the Tandon School of Engineering. The School of Medicine and NYU's satellite international campuses have separate conflict of interest programs and resources.

What steps does NYU take when a conflict of interest is identified?

In accordance with federal regulations and NYU policy, the University has a responsibility to manage all identified conflicts of interest related to research that takes place at or under the auspice of NYU. A conflict management plan is an agreement between NYU researchers with a conflicting outside interest and the University that describes how the conflict is managed. These documents are put in place by the School Dean or Center Director and are created with the input of the researcher, the Office of Conflict of Interest, and a faculty advisory committee on research conflicts.

Management plans address issues that can be broadly categorized into four main principles: 1) maintaining research objectivity; 2) protecting the rights and interests of students, postdocs, and other researchers who also work on the research project; 3) maintaining a clear and distinct separation between the researcher's NYU responsibilities and any interests or responsibilities to the outside company; and 4) ensuring that NYU resources are not inappropriately used to the benefit of the outside company. An effective management plan is needed not only to address these issues, but also protects the interests of the researcher and the University.

Resources

The Office of Conflict of Interest can be contacted with any questions regarding research conflicts for faculty and researchers with appointments at Washington Square campus schools and the Tandon School of Engineering. The Office can provide guidance on steps that need to be taken to appropriately disclose new outside interests and will be engaged throughout the conflict management process.

Have Questions or Concerns? Contact the NYU Compliance and Risk Reporting Line

NYU promotes and encourages a culture of conduct consistent with laws, regulations and NYU's policies and procedures. If you have questions regarding policy violations, compliance and risk concerns, or best business practices, or if you observe conduct at NYU that is inconsistent with these expectations, we encourage you to contact the Office of Compliance and Risk Management ("OCRM") directly or through the NYU Compliance and Risk Reporting Line ("Reporting Line") and website. OCRM receives the initial inquiry or question, and depending on the matter reported, will refer the complaint to the appropriate responding department.

What type of situations should I report?

The Reporting Line accepts reports of conflicts of interest, financial and business integrity issues, misuse of University property or assets, research related issues, export, import and trade issues and other compliance concerns. The Reporting Line supplements and complements, rather than replaces, other existing mechanisms and avenues for reporting employee concerns. *Continued on page 4.*

Have Questions or Concerns? (Continued from page 3)

Contact the NYU Compliance and Risk Reporting Line

The Reporting Line offers two easy options for you to anonymously report issues. The anonymous reporting services are available 24 hours a day, seven days a week. You may call the Reporting Line by calling 877-360-7626 or visiting nyu.edu/reportingline to file a question or inquiry.

What happens when I make a report?

The University has contracted with Convercent, an external company with experience in managing reporting lines for universities. This company manages the intake of all phone and internet reports. Once your report has been submitted, you will also be provided a confidential issue access number and asked to provide a personal password and security question. The access number and password allow you to check the status of the report on the Convercent website (<https://app.convercent.com/en-us/LandingPage/5d07cd8b-d05d-e711-8117-000d3ab2feeb>), as well as send and receive anonymous messages pertaining to your report at any time. If you provided an email address you will also receive email notifications from Convercent as the report status is updated.

As a reminder, retaliatory action of any kind taken by an employee of NYU against any other employee or student of the institution as a result of that person's use of the Reporting Line is prohibited by the *Compliance Complaint Policy*, and in certain instances, by law. For employees at NYU Shanghai, please read the article on NYU Shanghai's Compliance and Risk Reporting Line.

NYU Shanghai's Compliance and Risk Reporting Line

NYU Shanghai encourages the good faith reporting of misconduct or compliance and risk issues identified by any member of the NYU Shanghai community or any person associated with or doing business with NYU Shanghai. If you have questions regarding compliance and risk concerns, we encourage you to raise these questions to the Compliance and Risk Management Department in the manner described below.

What issues should I report?

Examples of matters that may be reported include: Code of Ethical Conduct violations, conflicts of interest financial and business integrity issues, misuse of university property or assets, research related issues export, import and trade issues and other compliance concerns. Reports can be made as follows:

- To a supervisor, the Compliance and Risk Management Department, or the General Counsel;
- Through the NYU Shanghai Compliance and Risk Reporting Line by submitting an online [report here](#); and/or
- By emailing shanghai.compliance@nyu.edu.

These reporting services are available 24 hours a day, seven days a week. Reports can be submitted in Chinese and/or English. Questions, complaints or concerns can be reported through the online system (option (i) above) anonymously. You must provide sufficient information about the nature of the conduct and participants to enable a review to be undertaken. If you choose to remain anonymous, your anonymity will be maintained to the fullest extent possible subject to applicable law. All reports will be handled by the appropriate university officials promptly, seriously and fairly, regardless of the reporting approach you take. NYU Shanghai policy protects anyone who files a report from retaliation. No one who in good faith files a report or who cooperates in good faith with an NYU Shanghai investigation of a complaint will be subject to intimidation, harassment, discrimination, or other retaliation or, in the case of employees, adverse employment consequence.

Have You Heard of the Work Life Office?

By Katie Zaborsky, Programs and Communication Administrator, NYU Work Life

Focus of the Work Life Office

As part of an initiative to enhance the wellbeing of NYU's faculty and administrators, the Work Life Office aims to create a culture of support by providing forward-thinking guidance to help employees find harmony in both work and life. Its focus areas address several life cycle needs, such as self-care, child care and education, adult care, retirement, and more. The Office schedules one-on-one consultations, hosts events throughout the year, and offers personalized connections to resources.

What does the Work Life Office Do?

As a Provostial office, Work Life also acts as a conduit and advocate for policy change and adaptation. Recent efforts include helping to launch a new, enhanced back-up care program for child and adult care, convening a team to review the language around the University's Tenure Track Stoppage policy, and amplifying the ongoing work to increase the number of lactation rooms across campus



Learn more about Work Life at nyu.edu/worklife, or send an email to worklife@nyu.edu if you have a specific question or would like to set up a consultation.

To keep up-to-date on their initiatives and events, [subscribe](#) to the Work Life newsletter (and if you're a parent, [sign up](#) for their Parenting at NYU newsletter).

University Policy Post

An Update on New and Revised NYU Policies and Guidelines

A goal of the Office of Compliance and Risk Management is to bring awareness to the NYU community about new and updated university-wide policies and guidelines. These policies are located at the University Policy Database site at nyu.edu/policies.

In this issue, we highlight a revised section of the [Business Expenses Policy](#), found on page 16.

Honorariums, Gifts, Prizes, Awards to Non-Employees

University funds may be used for an amount or item presented as a gesture of good will or in appreciation of efforts and time given by individuals to the University, such as a guest lecturer or a speaker from outside the University. The University requires that such expenses be reasonable and made under conditions or circumstances that do not create a significant likelihood for the gesture to be deemed as "disguised" payment. **When prohibited by a Federal, State, or City agency (e.g. NIH) such costs must not be charged directly or indirectly to a federally sponsored account. Please consult your sponsors' guidelines.**

Please visit nyu.edu/policies to find the latest new and revised University policies. You can also visit Human Resources to find the latest new and revised Policy updates found here <https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/human-resources.html>