

**FOR MORE INFORMATION
ABOUT**

HIV AND AIDS CALL:

**Texas AIDSLINE:
(Se habla Espanol)**

1-800/299-AIDS

(TTY/TDD-for hearing impaired):

1-800/252-8012

National AIDSHotline:

1-800/342-AIDS

1-800/344-SIDA

Drug Abuse Hotline:

1-800-662-HELP

**National AIDS Information
Clearinghouse:**

1-800/458-5231

HIV

AIDS

and the
Workplace

You may be wondering what HIV and AIDS could have to do with your job and workplace. Well, it depends on the type of work you do. Some people, like health care workers, have to deal with HIV and AIDS every day. Most of us, though, don't need to give much thought to HIV or AIDS when it comes to our jobs. And that makes a lot of sense, because HIV is not spread through the type of casual day-to-day contact that most of us have with other people in our jobs. On the other hand, it does make sense to be familiar with HIV and AIDS for our own personal health, as well as with the situations that might come up at work that do involve HIV and AIDS.

**What you should know
about HIV/AIDS and
your workplace:**

- HIV is the virus that causes AIDS, a disease that destroys a person's immune system.
- There are only a few ways that a person can be infected with HIV -- most of which don't involve work-related situations.
- It is easy to protect yourself from being infected with HIV, both in your personal life and in work-place settings.

Some general information about HIV/AIDS

Acquired immunodeficiency syndrome (AIDS) is the final stage of an infection caused by the human immunodeficiency virus (HIV). HIV attacks the body's immune system, hurting the body's ability to fight off diseases and other infections.

There is no cure for HIV infection or AIDS. There are also no clear symptoms of HIV infection, although some people may have flu-like symptoms for a few days after they are infected with HIV. But, even if an infected person has no symptoms, feels, and looks healthy, he or she can still pass the virus to others.

How HIV infection is and is NOT transmitted from one person to another

HIV is found in the following body fluids:

- blood
- semen
- vaginal secretions
- breastmilk

HIV is **NOT** spread through the environment; it is a very fragile blood-borne virus. HIV-infected persons do not pose a threat to co-workers or clients during casual, day-to-day activities and contacts.

So, you **CANNOT** be infected with HIV through:

- handshakes
- hugs or casual touching
- close working conditions
- telephones, office equipment, or furniture
- sinks, toilets, or showers
- dishes, utensils, or food
- sneezing or coughing
- air
- water
- insects

Because HIV is found in only a few body fluids, there are only a few ways in which a person can come in contact with HIV:

- by having sex, either anal, oral, or vaginal, without the use of a condom;
- by sharing needles, syringes, and other instruments that break the skin, such as tattoo and/or ear/body piercing needles;
- from an HIV-infected mother to her baby during pregnancy, birth, or breastfeeding;
- by coming in contact with HIV-infected blood either through an open wound or through a blood transfusion. Risks from transfusions, however, are now very low because of blood-screening, which started in 1985.

How HIV/AIDS affects you at your workplace

As you can see from the above information, most of the behaviors that pass HIV from one person to another do not occur in the workplace. The only way that most people

in the average workplace could be exposed to HIV would be if they had an open wound and someone else's infected blood entered their body through that broken skin.

How to avoid HIV infection in the workplace

It is easy to avoid being exposed to HIV and other blood-borne diseases by using good personal hygiene and common sense at all times:

- keep broken skin covered with a clean, dry bandage;
- avoid direct contact with blood spills;
- wear gloves to clean spills that contain visible blood; and
- clean blood spills with an appropriate disinfectant or 1:10 solution of freshly mixed household bleach and water. After cleanup, wash hands thoroughly with soap and running water.

(NOTE: The above recommendations are part of the Centers for Disease Control and Prevention's "Precautions for the Prevention of HIV Transmission in Health-Care Settings." Health care workers should consult the recommendations for precautions during specific medical procedures.)

Ways to reduce your risk for HIV infection in your personal life

It's just as easy to avoid HIV in your personal life as it is at your workplace:

- Do not have sex (abstain)
- Delay having sex until you are in a faithful relationship with one person who you know does not have HIV.
- If you choose not to abstain from sex or to limit sex to one faithful, uninfected partner, then always use a latex condom **every time you have sex** (oral, anal, or vaginal). If used correctly and every time you have sex, latex condoms can provide protection against HIV and other sexually transmitted diseases.
- If you have a drug habit, do not share needles or syringes. If you can't stop sharing needles/syringes, clean them with bleach and then rinse them with water between every use. Also, do not share any other type of needles, such as tattoo and ear/body piercing needles.

The best thing for your health is to stop using drugs. If you need help to stop using, call the National Drug Abuse Hotline at 1-800/662-HELP.

If you work with someone who has HIV or AIDS

If you have a cold, flu or other virus, remember that people with HIV or AIDS do not have a healthy immune system. They are more likely to become ill from a virus that a healthy person's body could easily fight.

Remember, too, that people with HIV or AIDS are just like anyone else living with a disease: they need caring, support, and understanding.

APPENDIX E

DRUG AND ALCOHOL ABUSE

PREVENTION POLICY

Note: In compliance with federal regulations relating to the issuance and dissemination of the Drug and Alcohol Abuse Prevention Policy, this brochure is distributed annually to all employees and each semester to all students.

University of Houston policies on use of alcohol and drugs may also be found in the Student Handbook, the Faculty Handbook, and the Manual of Administrative Policies and Procedures.

Issued March, 1989

Revised July, 1990

Revised August, 1991

Revised October, 1992

Revised September, 1994

Revised September, 1996

POLICY

It is the policy of the university that illicit drugs, including their manufacture, sale, distribution, dispensation, possession, or use, are prohibited in the workplace, on the campus, or as part of any university activities. Sanctions imposed for violation of this policy are indicated below.

The DANGERS OF DRUG OR ALCOHOL ABUSE IN THE WORKPLACE AND ON THE CAMPUS

There are millions of employed individuals whose job performance and productivity are adversely affected by their progressive dependence on drugs or alcohol. As many as 20 percent of all college students use chemical substances and drugs at a level of concern to themselves and others. Some estimate that 70 percent of the working population and 90 percent of college students consume mood-altering chemicals of some type and the cost to the United States economy is estimated to be more than \$26 billion per year.

1. **Definitions.** The following terms are defined for the purposes of this policy and are important for purposes of expressing the university's policy on a drug-free workplace:

A. **Controlled Substance** means a controlled substance in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812), as further defined by regulations at 21 CFR 1300.11 through 1300.15, and as defined in the Texas Controlled Substances Act [Texas Health & Safety Code, 81.001 et seq].

B. **Contract** means a legal instrument reflecting a relationship between the federal government and a recipient whenever the principal purpose of the instrument is the acquisition by purchase, lease, or barter, of property or services for the direct benefit or use of the federal government; or whenever an executive agency determines in a specific instance that the use of a type of procurement contract is appropriate.

C. Conviction means finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

D. Criminal drug statute means a federal or non-federal criminal statute involving the manufacture, sale, distribution, dispensation, use, or possession of any controlled substance.

E. Employee means an individual receiving a salary, wages, other compensation and/or stipend support from the university.

F. Federal agency or agency means any United States executive department, military department, government corporation, government controlled corporation, or any other establishment in the executive branch (including the executive office of the president), or any independent regulatory agency.

G. Grant means an award of financial assistance, including a cooperative agreement, in the form of money, or property in lieu of money, by a federal agency directly to a grantee. The term grant includes block grant and entitlement grant programs, whether or not exempted from coverage under the grants management government wide regulation (“Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments”). The term does not include technical assistance which provides services instead of money, or other assistance in the form of loans, loan guarantees, interest subsidies, insurance, or direct appropriations; or any veteran’s benefits to individuals, i.e., any benefit to veterans, their families, or survivors by virtue of the service of a veteran in the Armed Forces of the United States.

H. Grantee means a legal entity which applies for or receives a grant or contract directly from a federal agency.

I. Illicit drug use means the use of illegal drugs and the abuse of other drugs and alcohol.

J. Student means an individual registered or enrolled for credit or non-credit in a course or program offered by the university or any of its units.

K. University activities means an activity officially sponsored by the University of Houston.

L. Workplace means the physical boundaries of the university and facilities owned or controlled by the university.

1. **Philosophy.** The unlawful use of drugs or abuse of other drugs and alcohol is inconsistent with the behavior expected of members of the university community. The university is committed to the development and maintenance of a drug-free environment on the campus as well as an environment that prohibits the abuse of other drugs and alcohol and has a drug and alcohol abuse prevention system in operation, accessible to all members of the university community. The university is committed to the further expansion of that program and the dissemination of drug awareness information to the members of the university community. In addition, the university is committed to enforcing the provisions of the Drug Free Workplace Act of 1989 and believes that these acts and their implementation regulations provide a proper framework for the drug and alcohol abuse policies of the university.

2. **Health Risks**

Alcohol

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts. Moderate to high doses of alcohol cause marked impairment in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol can lead to dependence. Sudden cessation of regular alcohol use is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities alcohol can also lead to permanent damage to vital organs such as the brain and the liver.

Females who drink alcohol during pregnancy may give birth to infants with Fetal Alcohol Syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

Alcohol use is often related to acquaintance rape and failure to protect oneself from Sexually Transmitted Diseases (STDs). Additionally, alcohol-related accidents are the number one cause of death in the 16-24 year-old age group.

Designer Drugs

Illegal drugs are defined in terms of their chemical formulas. To circumvent these legal restrictions, "underground" chemists modify the molecular structure of certain illegal drugs to produce analogs known as "designer drugs." These drugs can be several hundred times stronger than the drugs they are designed to imitate. Many of the so-called designer drugs are related to amphetamines (MDMA,X).

Bootleg manufacture creates overdose and contamination risks. These substances can produce severe neurochemical damage to the brain. The narcotic analogs (fentanyl, china white) can cause symptoms such as those seen in Parkinson's disease: uncontrollable tremors, drooling, impaired speech, paralysis and irreversible brain damage. Analogs of amphetamines and methamphetamine cause nausea, blurred vision, chills or sweating and faintness. Psychological effects include anxiety, depression and paranoia. As little as one dose can cause brain damage. The analogs of phencyclidine (PCP) cause illusions, hallucinations and impaired perception.

Cocaine

Cocaine stimulates the central nervous system. Cocaine use can cause death by cardiac arrest or respiratory failure. Its immediate effects include dilated pupils and elevated blood pressure, heart rate, respiratory rate and body temperature. Occasional use can cause a stuffy or runny nose, while chronic use can ulcerate the mucous membrane of the nose. Sharing contaminated needles and syringes for injecting cocaine can spread the AIDS virus, hepatitis and other diseases. Cocaine can produce psychological and physical dependency, a feeling that the user cannot function without the drug. In addition, tolerance develops rapidly. "Crack," or "freebase rock," is extremely addictive, and its effects are felt within 10 seconds. The physical effects include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucinations, paranoia and seizures.

Other Stimulants

Stimulants can cause increased heart and respiratory rates, elevated blood pressure, dilated pupils and decreased appetite. In addition, users may experience sweating, headaches, blurred vision, dizziness, sleeplessness and anxiety. Extremely high doses can cause a rapid or irregular heartbeat, tremors, loss of coordination, and even physical collapse. An amphetamine injection creates a sudden increase in blood

pressure than can result in stroke, very high fever or heart failure. In addition to the physical effects, users report feeling restless, anxious and moody. Higher doses intensify the effects. Persons who use large amounts of amphetamines over a long period of time can develop an amphetamine psychosis that includes hallucinations, delusions and paranoia.

Marijuana (Cannabis)

All forms of cannabis can result in negative physical and mental effects. Use of cannabis may impair or reduce short-term memory and comprehension, alter sense of time and reduce ability to perform tasks requiring concentration and coordination, such as driving a car. Research also shows that students do not retain knowledge when they are “high”. Motivation and cognition may be altered, making the acquisition of new information difficult. Marijuana can also produce paranoia and psychosis. Because users often inhale the unfiltered smoke deeply and then hold it in their lungs as long as possible, marijuana is damaging to the lungs and pulmonary system: marijuana smoke contains more cancer-causing agents than tobacco smoke. Long-term users of cannabis may develop psychological dependence and require more of the drug to get the same effect.

Hallucinogens

Lysergic acid (LSD), mescaline, and psilocybin cause delusions and hallucinations. The physical effects may include dilated pupils, elevated body temperature, increased heart rate and blood pressure, loss of appetite, sleeplessness and tremors. Sensations and feeling may change rapidly. It is common to have bad psychological reactions to LSD, mescaline and psilocybin. The user may experience panic, confusion, suspicion, anxiety and loss of control. Delayed effects, or “flashbacks,” can occur even after use has ceased.

Users of PCP report persistent memory problems and speech difficulties. Some of these effects may last six months to a year following prolonged daily use. Mood disorders - depression, anxiety and violent behavior - also occur. In later stages of chronic use, users often exhibit paranoid and violent behavior. Large doses may produce convulsions and coma, as well as heart and lung failure.

Depressants

The effects of depressants are in many ways similar to the effects of alcohol (which is itself a depressant). Small amounts can produce calmness and relaxed muscles, but somewhat larger doses can cause slurred speech, staggering gait and altered perception. Large doses can cause respiratory depression, coma and death. The combination of depressants and alcohol can multiply the effects of the drugs, thereby multiplying the risks. The use of depressants can cause both physical and psychological dependence. Regular use over time may result in a tolerance to the drug, leading the user to increase the quantity consumed. When regular users suddenly stop taking large doses, they may develop withdrawal symptoms ranging from restlessness, insomnia and anxiety to convulsions and death.

PENALTIES FOR VIOLATION OF THE POLICY

The university policy prohibiting the unlawful possession, use, or distribution of illicit drugs and alcohol on the campus and at university-sponsored events held off campus protects and supports the employees and students of the University of Houston. Therefore, any employee admitting to or convicted of the unlawful possession, use, or distribution of illicit drugs and alcohol on the campus or at university-sponsored events held off campus will be subject to disciplinary action (up to and including suspension, suspension without pay and termination), may be referred for prosecution, and may be required to satisfactorily participate in a drug and alcohol assistance or rehabilitation program, as agreed upon between the employee, the Department of Human Resources, and the Counseling and Testing Service.

Any student admitting to or proven to have violated the University of Houston's Student Disciplinary Policies and Procedures regarding the unlawful possession, use or distribution of illicit drugs and alcohol on campus or at university-sponsored events (see UH Student Handbook, Student Disciplinary Policies and Procedures Section) will be subject to disciplinary action (up to and including probation, suspension and expulsion), may be referred for prosecution, and may be requested to satisfactorily participate in a drug and alcohol assistance or rehabilitation program. Further information concerning employees is available from the Department of Human Resources (phone 743-5770).

In addition, penalties under Texas and federal law appear below:

PENALTIES UNDER TEXAS LAW

OFFENSE MINIMUM PUNISHMENT MAXIMUM PUNISHMENT

EMPLOYEE AND STUDENT ASSISTANCE PROGRAMS

The University of Houston Counseling and Testing Service offers the following drug and alcohol abuse information, counseling, rehabilitation, and assistance programs and services:

1. Information and Referral: All members of the university community are eligible to consult with the professional staff of the Counseling and Testing Service regarding the availability of drug abuse assistance programs. Drug and alcohol abuse counseling and rehabilitation program referrals are routinely made to mutual help organizations, private hospitals, public treatment programs and private drug treatment practitioners. It also maintains a collection of resource materials pertinent to issues of drug abuse. In addition, the Wellness Center provides education on alcohol and drug abuse and related concerns for the campus community.
2. Individual Counseling: Individuals are seen on a short-term basis for assistance with drug-related problems. However, it is likely CTS will make a referral for alcohol and drug addiction. This service is available to students at no charge. Faculty and staff are able to receive short-term EAP evaluation and referral for such services.
3. Group Counseling: There is an Alcoholics Anonymous (AA) chapter which meets regularly. Details are available from the Wellness Center. This service is free to University of Houston students, faculty and staff.
4. Psycho-Educational Programs: On a periodic basis, group programs focusing on the development of strengths and skills related to the effective management of drug-related problem areas are offered by the Counseling and Testing Service and the Wellness Center. These programs are open to University of Houston students, faculty and staff at no charge.
5. Employee Assistance program (EAP): Counseling and Testing provides services to campus faculty and staff which include information, referral, evaluation, consultation and short-term problem solving.
6. Mutual Health Groups: Individuals are assisted in forming groups like Alcoholics Anonymous and Alanon and information concerning these groups is maintained for dissemination to interested persons.
7. Houston Council on Alcoholism and Drug Abuse: Offers short-term counseling for anyone affected in any way by alcohol or other drug abuse. Trained alcohol and drug abuse counselors can help select a 12step program (AA, Alanon, NA, CA, etc.) and/or appropriate treatment. Their address is 3333 Eastlake. Phone 520-5502.

Further information regarding these programs and services may be secured from the University of Houston Counseling and Testing Service located in Room 226 of the Student Service Center; phone 743-5454.

Application of Policy

The Drug and Alcohol Abuse Prevention Policy is supported by a drug-free awareness and alcohol education program available to the faculty, staff and students of the university. Specific compliance and reporting items enumerated below (items B, C, D, E) are applicable to all persons employed on federal contracts and grants.

In support of this policy, the university:

A. Has established a drug free and alcohol abuse awareness program to inform its faculty, staff and students about the dangers of drug and alcohol abuse in the workplace, the university's policy of maintaining a drug free workplace and a workplace which prohibits the illicit use of alcohol, available drug and alcohol counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug and alcohol abuse violations.

B. Will provide each student and employee a copy of this policy. In addition, all faculty, staff, and students will be notified of this policy through appropriate publications.

C. Will notify each university employee and each student that, as a condition of employment on a federal grant or contract, the person, once so employed, must abide by the terms of the policy, and must notify his or her supervisor and the Department of Human Resources of any criminal drug statute conviction for a violation occurring in the workplace not later than five days after such conviction.

D. Will notify the appropriate federal agency within 10 days after receiving notice of criminal drug statute conviction of any university employee engaged in performance of the grant or contract.

E. Will impose sanctions on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program by, an employee so convicted. Sanctions imposed on employees for violation of this policy may include suspension, suspension without pay, and termination.

F. Will make a good faith effort to continue to maintain an environment that complies with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989.

G. Will conduct a biennial review of its programs to assess their effectiveness, what changes need to be made and to ensure the uniform application of sanctions to employees and students.

IMPLEMENTATION

Implementation of this policy is a joint responsibility of the Department of Human Resources, the Office of Sponsored Programs, the Police Department, the Office of Financial Aid and the Division of Student Affairs. Notification of the program, including information about health risks and sanctions for violation of the policy, will be provided annually to students and employees. In addition, the university is committed to monitoring and assessing the effectiveness of this program. A biennial review of the program will be undertaken to: i) determine its effectiveness and implement changes to the program if they are needed; and, ii) ensure that its disciplinary standards are consistently enforced.

IMPORTANT EMPLOYEE NOTIFICATIONS.

Teachers Retirement of Texas - If you are currently employed or have been employed during the current fiscal year for a period of four and a half months or longer, by an independent school district, junior college, or university in a retirement eligible position, you may qualify for retirement benefits during your employment at the University of Houston. Retirement deductions for *temporary/part-time* employees require employer certification each fiscal year. Employees who are currently participating in the Teacher's Retirement System of Texas at another institution should notify Human Resources immediately to insure proper retirement credits.

Graduate Student Insurance - Students that hold a graduate assistant position (including, but not limited to Research Assistant, Teaching Assistant, Teaching Fellows, or Graduate Assistant) may be eligible for employee insurance benefits. To apply for coverage, you must notify the Office of Human Resources, Benefit Section, within 31 days of employment. Insurance coverage for graduate students is NOT automatic. In order to obtain coverage you must complete an enrollment form. Coverage begins on the 1st - of the month following 90 days after enrollment.

The cost for the health insurance changes from plan year to plan year. The rates are available from the University of Houston Benefits Office or the ERS Website (www.ers.state.tx.us). The university pays 50% of the employee-only insurance premium and 25% of the cost of dependent health insurance coverage. All benefit eligible graduate students receive a \$150.00 stipend to cover a portion of the insurance expense. For complete summary of the benefits and enrollment requirements, you may obtain a copy of the "Insurance Benefits for Graduate Students" Guide from your department or from the Human Resources website (www.uh.edu/hr)

Staff Handbook - The University of Houston Staff Handbook is available online at www.uh.edu/hr. Please make sure you review the handbook to acquaint yourself with the general rules and regulations governing the employment relationship at this institution. The University Staff Handbook and related policies do not constitute an employment contract or an offer to contract with any employee. The University of Houston reserves the right to change, amend, or abandon any of the policies contained in this handbook at any time.

EXCERPTS FROM CURRENT APPROPRIATIONS BILL

Sec 5. POLITICAL AID AND LEGISLATIVE INFLUENCE PROHIBITED.

None of the moneys appropriated by Articles I, II, III and IV of this Act, regardless of their source or character, shall be used for influencing the outcome of any election, or the passage or defeat of any legislative measure. This prohibition shall not be construed to prevent any official or employee of the state from furnishing to any member of the Legislature or committee upon request, or to any other state official or employee or to any citizen information in the hands of the employee or official not considered under law to be confidential information. Any action taken against an employee or official for supplying such information shall subject the person initiating the action to immediate dismissal from state employment.

No funds under the control of any state agency or institution, including but not limited to state appropriated funds, may be used directly or indirectly to hire employees or in any other way fluid or support candidates for the legislative, executive or judicial branches of government of the State of Texas or the government of the United States.

None of the funds appropriated in the Act shall be extended in payment of the full or partial salary of any state employee who is also the paid lobbyist of any individual, firm, association or corporation.

No employee of any state agency shall use any state-owned automobile except in official business of the state, and such employees are expressly prohibited from using such automobiles in connection with any political campaign or any personal or recreational activity.

None of the moneys appropriated by the Act shall be paid to any official or employee who violates any of the provisions of this section.

The head or heads of each agency of the state shall furnish each employee of such agency with a copy of the five (5) paragraphs immediately preceding this one, and shall take a receipt therefore from each employee. The preceding sentence shall not be construed to mean that new receipts are to be obtained each year from continuing employees who have previously receipted for copies of identical provisions prohibiting political aid and legislative influence. The receipts shall be kept accessible for public inspection.

STANDARDS OF CONDUCT

Gov't Code Chapter 572

AN ACT relating to the contact of certain state officers and employees and the requirement that certain interests, activities and gifts be disclosed; providing civil and criminal sanctions; and declaring an emergency. BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Declaration of Policy

Section 571.001. It is the policy of the State of Texas that no state officer or state employee shall have any interest, financial or otherwise, direct or indirect, or engage in any business transaction or professional activity or incur any obligation of any nature which is in substantial conflict with the proper discharge of his duties in the public interest. To implement this policy and to strengthen the faith and confidence of the people of Texas in their state government, there are provided standards of conduct and disclosure requirements to be observed by persons owing a responsibility to the people of Texas and government of the state of Texas in the performance of their official duties. It is the intent of the Legislature that this Act shall serve not only as a guide for official conduct of these covered persons but also as a basis for discipline for those who refuse to abide by its terms.

Standards of Conduct

- (a) No state officer or state employee should accept or solicit any gift, favor or service that might reasonably tend to influence him in the discharge of his official duties or that he knows or should know is being offered him with the intent to influence his official conduct.
- (b) No state officer or state employee should accept employment or engage in any business or professional activity which he might reasonably expect would require or induce him to disclose confidential information acquired by reason of his official position.
- (c) No state officer or state employee should accept other employment or compensation which could reasonably be expected to impair his independence of judgment in the performance of his official duties.
- (d) No state officer or state employees should make personal investments which could reasonably be expected to create a substantial conflict between his private interest and the public interest.
- (e) No state officer or state employee should intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised his official powers or performed his official duties in favor of another.

Art 601b. State Purchasing and General Services Act
Definitions

Sec 1.02. In this .Act:

- (1) "Commission" means the State Purchasing and General Services Commission.
- (2) "State agency" means:
 - a. any department, commission, board, office, or other agency in the executive branch of state government created by the constitution or a statute of this state;
 - b. the Supreme Court of Texas, the Court of Criminal Appeals of Texas, a court of civil appeals, or the Texas Civil Judicial Council; or
 - c. an university system or an institution of higher education as defined in Section 61.003, Texas Education Code, as amended, other than a public junior college.

Distribution of this Article

Sec 8.10. Each agency head shall distribute a copy of this article to each official and employee of his agency and shall give a copy to each new employee of the agency.

DUAL OFFICE HOLDING Govt. Code Chapter 574

AN ACT relating to nonelective state officers, holding other nonelective offices or positions of honor, trust, or profit, and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

A nonelective state officer or employee may hold other nonelective offices or positions of honor, trust, or profit under this state of the United State, if holding the other offices or positions is of benefit to the State of Texas or is required by state or federal law, and if there is no conflict between his holding the office or position and his holding the original office or position for which the officer or employee receives salary or compensation.

Before a nonelective state officer or employee may accept an offer to serve in other nonelective offices or positions of honor, trust, or profit, the officer or employee must obtain from the governing body, or if there is no governing body, the executive head of the agency, division, department or institution with which he is associated or employed, a finding that the requirements of Section 1 of this Act have been fulfilled. The governing body or executive head shall make an official record of the finding and of the compensation to be received by the nonelective officer or employee from such additional nonelective office or position of honor, trust or profit including specifically salary, bonus, per diem or other type of compensation.

The governing body or executive head shall promulgate rules and regulations necessary to carry out the purposes of this Act.

The *University of Houston System Board of Regents Policy 49.01* requires certain statutes and policies to be distributed to all employees at the start of each academic year and to all new employees at the time of employment. The following is furnished in compliance with that policy:

Vernon's Texas Codes Annotated
Government Code ~572.051
Standards of Conduct

A state officer or employee should not:

- (1) accept or solicit any gift, favor, or service that might reasonably tend to influence the officer or employee in the discharge of official duties or that the officer or employee knows or should know is being offered with the intent to influence the officer's or employee's official conduct;
- (2) accept other employment or engage in a business or professional activity that the officer or employee might reasonably expect would require or induce the officer or employee to disclose confidential information acquired by reason of the official position;
- (3) accept other employment or compensation that could reasonably be expected to impair the officer's or employee's independence of judgment in the performance of the officer's or employee's official duties;
- (4) make personal investments that could reasonably be expected to create a substantial conflict between the officer's or employee's private interest and the public interest; or
- (5) Intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the officer's or employee's official powers or performed the officer's or employee's official duties in favor of another. Added by Acts 1993, 73-Leg., ch.268, Sec. 1, eff. Sept. 1, 1993.

Vernon's Texas Codes Annotated
Government Code ~ 667.001-667.007, 667.009
Multiple Employments with State

§ 667.001. General Provisions

- (a) This chapter applies to a person who is or may become employed by more than one state agency or institution of higher education.
- (b) A person who is employed by more than one state agency or institution of higher education may not receive benefits from the state that exceed the benefits provided for one full-time employee.
- (c) The person must be informed of the requirements of this chapter before the person is employed by more than one agency or institution.

§ 667.002. Separate Records Required

Separate vacation and sick leave records must be maintained for each employment. §

667.003. Transfer of Leave Balances Prohibited

If the person separates from one employment, the person's leave balances that were accrued under that employment may not be transferred to the remaining employments.

§ 667.004. Accrual of State Service Credit

The person accrues state service credit for all purposes as if the person had only one employment. § 667.005. Group Insurance Contribution

The total state contribution toward the person's group insurance is limited to the amount specified in the General Appropriations Act for a full-time active employee.

§ 667.006. Overtime Compensation

(a) Overtime compensation accrues for each employment independently of every other employment, except as provided by Subsection (b).

(b) If the person is subject to the overtime provisions of the federal Fair Labor Standards Act of 1938 (29 U.S.C. Section 201 et seq.) in an employment, the employing agencies and institutions of higher education shall ensure that the person is compensated for all combined time actually worked that exceeds 40 hours per week in accordance with the overtime provisions of the federal law. The agencies and institutions shall cooperate to determine which agency or institution is responsible for ensuring that the employee is properly compensated according to those provisions.

(c) An employing agency or institution may not use multiple employments of an employee within the same agency or institution for the purpose of:

- (1) paying the employee for working more than 40 hours in a week instead of earning compensatory time in accordance with state law; or
- (2) paying the employee a greater salary than is allowed for either of the employee's positions. §

667.007. Informing Employer About Multiple Employment

The person must inform the person's employing state agencies or institutions of higher education before accepting an additional employment with another agency or institution.

§ 667.009. Special Provisions for University Systems

(a) A university system as defined by Section 61.003, Education Code, may establish a policy that defines a person's employment as the total hours the person is assigned:

- (1) to one component of the system; or
- (2) to all components of the system.

(b) The policy may apply to a person only if the person is employed by more than one institution of higher education and all the employing institutions are within the same university system.

Added by Acts 1999, 76th Leg., ch. 279, § 25, eff. Sept. 1, 1999.

University of Houston System Board of Regents Policies

21.03 Academic Freedom

To establish and clarify the rights and responsibilities of the faculty pursuant to academic freedom, the board adopts the following policy:

21.03.1 The faculty member is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of the faculty member's other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the component university.

21.03.2 The faculty member is entitled to freedom in the classroom in discussing the subject matter, but the faculty member should be careful not to introduce into the teaching controversial matter which has no close relation to the subject.

21.03.3 The faculty member is a citizen, a member of a learned profession, and an officer of an educational institution. When speaking or writing as a citizen, the faculty member shall be free from institutional censorship or discipline, but the faculty member's special position in the community imposes special obligations. As a person of learning and an educational officer, the faculty member should remember that the public may judge the profession and the institution by the faculty member's utterances. Hence the faculty member should at all times strive for accuracy, exercise appropriate restraint, show respect for the opinions of others, and make every effort to indicate that the faculty member is not speaking for the institution.

29.02 Sexual Harassment

The board, the system, and the component universities are committed to providing a professional working and learning environment free from sexual harassment. Sexual harassment is a form of sex discrimination and is illegal. Neither the board, nor the system, nor any component university will tolerate any form of sexual harassment. Furthermore, the board, the system, and the component universities are committed to providing the training to educate staff, faculty, and students about sexual harassment issues.

The component universities and the system administration shall adopt policies consistent with this policy. The rights of claimants and respondents will be protected by the procedures developed by the institutions.

31.01 Governmental Appearances

All system and component university employees appearing before Congress, the Texas Legislature, City, County, or governmental body, or their agencies, committees, or members to offer testimony, opinions, or commentary in regard to existing or potential laws, rules, or regulations, not expressly authorized to do so by the board or the chancellor, must clearly state in advance that they are appearing in their individual capacities and that their testimony, opinions, and commentary are not authorized by, and must not be construed as reflecting on, the position of the system.

49.02 Consulting and Paid Professional Service

Full-time members of the faculty and professional or administrative staff may engage in external consultation or other paid professional services, provided such activities benefit the system and contribute to the professional development of the individual. This privilege is subject in all instances to the conditions set forth below. Failure to comply with this policy may subject an employee to disciplinary action including reprimand, suspension, or termination.

49.02.1 The first responsibility of the individual is to the system, and outside professional commitments should not interfere with the person's full-time responsibility to the system.

49.02.2 No outside obligation should result in any conflict of interest involving the individual's responsibilities to the system or to its programs, policies, and objectives. Consulting and other professional agreements that represent actual or potential conflicts of interest must be avoided.

49.02.3 Use of system facilities, space, equipment, or support staff for consulting or other paid professional activities is permitted only if a financial arrangement has been concluded between the individual and the administration prior to the employee's beginning the outside consulting or other paid professional service.

49.02.4 Individuals may not represent themselves as acting in the capacity of system employees when conducting consulting or other paid professional activities. The system bears no responsibility for any actual or implied obligations or liabilities incurred by the individual resulting from a consulting or other paid professional agreement or activity.

49.02.5 Faculty who wish to arrange consulting or other paid professional activities must provide prior written notification to their dean. Review by their dean of such activities will include consideration of any real or apparent conflict of interest and the benefit of the proposed service to the system and the component university. Each faculty member who engages in consulting or other paid professional service, including teaching on a temporary basis at other institutions, must ensure that such activities do not require commitments of time averaging more than one day per calendar week, and must arrange such activities so as not to interfere with regularly scheduled classes.

49.02.6 Professional or administrative staff who wishes to arrange consulting or other paid professional activities must obtain prior written approval from the appropriate supervisor. While consulting is a recognized aspect of faculty activities with the limitations noted in this document, consulting by professional or administrative staff must be justified on an individual basis by clear and direct benefit to the system.

49.02.7 When any of an individual's salary is paid from funds for externally sponsored activities, the time allowable for consultation or other paid professional activities must comply with sponsor requirements. Unpaid public services is not included in this policy, nor are occasional lectures that include fees, unless these activities require significant amounts of time or otherwise conflict with regular system obligations.

Each president and the chancellor will establish a process for monitoring outside paid professional activities of their faculty and staff in order to ensure that such activities are consistent with the above policy and also serve system purposes. The chancellor will report to the board annually on such activities.

49.04 Dual Employment

The board must give its approval before any officer of the system or its component institutions may hold other nonelective state or federal office or position of honor, trust, or profit. Approval must include formal findings that the dual office holding is of benefit to the state or required by state or federal law, and creates no conflict of interest. The board delegates to the Chancellor the authority to approve such dual office holding by any system employee who is not an officer of the system or its component institutions.

49.07 Nepotism

Relatives of members of the board or the chancellor shall not be employed by the system unless the employment took place at least one year prior to the appointment of the board member or the chancellor. Relatives of other system employees shall not be employed by the system in positions where the employee has the official authority to hire or recommend or approve the hiring, salary, or promotions of the relative. Relatives shall not be employed in the supervisory-subordinate relationship even if it results from marriage after the employment relationship was formed. The provisions of this policy apply to all

system programs regardless of funding source.

For the purposes of this policy, the term “relative” is defined as anyone related to the employee within the second degree of affinity or the third degree of consanguinity and includes the employee’s spouse and the employee’s or the spouses’ parents, grandparents, great grandparents, brothers, sisters, half brothers and sisters, children, grandchildren, great grandchildren, aunts, uncles, nieces, nephews, first cousins, second cousins, and persons married to them.

49.08 Conflicts of Interest

All members of the board and employees of the system and its component institutions shall adhere to and be furnished a copy of the Statutory Standards of Conduct for State Employees, Section 572.051, Texas Government Code, and shall avoid conflicts of interest, generally described as the use of one’s university employment or position to obtain unauthorized privileges, benefits, or things of value for oneself or others, including the following:

49.08.1 No board member or employee shall solicit, engage, or agree to accept any privilege, benefit or thing of value for the exercise of his or her discretion, influence, or powers as an employee or regent, except as is allowed by law.

49.08.2 No board member or employee shall accept any privilege, benefit, or thing of value that might influence him or her in the discharge of his or her duties as an employee or regent.

49.08.3 No board member or employee shall use his or her position to secure special privileges or exemptions for himself or herself or others, except as is allowed by law.

49.08.4 No board member or employee may be an officer, agent, employee, or member of, or own an interest in a professional activity that foreseeably might require or induce him or her to disclose confidential information acquired by reason of his or her system position.

49.08.5 No board member or employee shall accept employment or engage in any business or professional activity that foreseeably might require or induce him or her to disclose confidential information acquired by reason of his or her system position.

49.08.6 No board member or employee shall disclose confidential information gained by reason of his or her system position, nor shall he or she otherwise use such information for his or her personal gain or benefit.

49.08.7 No board member or employee shall transact any business for the system with any entity of which he or she is an officer, agent, employee, or member, or in which he or she owns a significant interest.

49.08.8 No board member or employee shall make personal investments in any enterprise that foreseeably might create a substantial conflict between his or her private interests and the system’s interests.

49.08.9 No board member or employee shall accept other employment that might impair his or her independence of judgment in the performance of his or her system duties.

49.08.10 No board member or employee shall receive any compensation for his or her services to the system from any source other than the State of Texas except as is allowed by law.

49.08.11 No board member or employee who exercises discretion in connection with contracts, purchases, payments, claims, or other pecuniary transactions shall solicit, accept, or agree to accept any benefit from a person or entity the employee knows or should know is or is likely to become financially interested in such transactions.

Failure of any employee to comply with the foregoing shall constitute grounds for discharge or other disciplinary action.