

## Marine Biological Laboratory

### Code of Conduct

Initiated by: Compliance Committee  
Approved by: MBL Board of Trustees/Audit Committee  
                  MBL President/Director  
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Distribution: MBL Community

#### 1.0 Policy Statement

The Marine Biological Laboratory (MBL) is an international center for research, education, and training in biology. Founded in 1888, the MBL is the oldest private marine laboratory in the country.

The MBL has a responsibility to the international scientific community to provide leadership in all endeavors. It is committed to the promotion of the highest standards of ethics, behavior, values and goals for all of its scientific, technical, educational, and administrative operations. This policy describes the standards of business and ethical conduct and practices the MBL expects of each officer, employee, scientific staff member, and others acting on its behalf when working for or representing the MBL, or when on MBL premises.

The quality of work and the atmosphere in which it is done is expected to be consistent with this commitment and in line with the reputation of the MBL as a leading educational and research institution. The atmosphere should be one of trust and confidence in those who act on behalf of the MBL. Community members should be able to rely on the integrity of each other.

The personal and professional conduct of everyone acting on its behalf should reflect the MBL's commitment to the fundamental principles of dignity, integrity, and respect for the law; rights, health and safety of the community and others; and should not conflict with or negatively impact their obligations to the MBL or its welfare.

#### 2.0 Standards

No policy can set forth every applicable rule and cover every situation; however, in carrying out the organization's mission and obligations, employees should use common sense, all relevant MBL policies, all applicable local, state, and federal law, as well as laws of other countries where operations are being conducted, as sources for guidelines of ethical conduct, in;

2.1 *Applicable Statutes and Regulations:* MBL's commitment to integrity begins with complying with pertinent laws, rules, and regulations. The work of the MBL is heavily regulated. Non-compliance with laws and regulations can have severe adverse financial and other consequences, potentially affecting the reputation and operations of the institution. In addition, individuals can suffer similarly severe financial and reputation consequences. Everyone must understand the laws, rules, regulations, and

MBL policies that apply to their specific roles. If you are unsure of whether a contemplated action is permitted by law or MBL policy, advice should first be sought from the appropriate resource expert listed in Addendum A before taking action.

Everyone is responsible within his or her scope of work for preventing violations of law and for speaking up if possible violations are observed.

- 2.2 *Existing MBL Policies:* In many cases, the MBL expects more than mere compliance with applicable law, and so our policies may contain expectations of conduct not necessarily exclusively grounded in legal requirements. All MBL policies are listed in Addendum B to this policy. Some of these represent internal policies or control procedures and are not necessarily compliance policies. Nevertheless, all members of the MBL community should become familiar with the policies related to their scope of work, particularly those relevant to compliance issues. Existing policies may be updated, revised or deleted from or added to from time to time. The Human Resources office coordinates the maintenance of all MBL policies. Copies of current policies may be accessed internally on the Human Resources web-page on the MBL web-site or obtained from any supervisor, the Grass Reading Room of the MBLWHOI Library or Human Resources office in the Homestead Building.
- 2.3 *Conflicts of Interest:* The complex relationships among government, industry, research institutions, and researchers, as well as the demands of commerce necessitate the establishment of guidelines for Trustees, Officers, and scientific & administrative staff regarding conflict of interest in carrying out their duties and obligations. These guidelines have both ethical and legal (federal and state) bases. Generally these guidelines call for disclosure of any situation that could reasonably be considered or even have the appearance of a conflict of interest. Also the interests of the MBL always take precedence. MBL has established policies to assist Trustees and staff in identifying conflicts that might arise and the reporting mechanisms for these conflicts. Reference MBL polices *A.1.4 Trustee Conflict of Interest* and *K.1.3 Conflict of Interest Policy*.
- 2.4 *Scientific Integrity:* Any action or conduct on the part of its staff or personnel or those engaged in MBL-sponsored activities that would compromise scientific integrity is against policy. Specifically, a compromise of scientific integrity—also referred to as "misconduct in science"—means fabrication or falsification of data or other documentation, plagiarism, or other unethical practices that seriously deviate from those practices that are commonly accepted within the scientific community for proposing, conducting or reporting research. Honest error or honest differences in interpretations or judgments of data does not constitute a compromise of scientific integrity. Guidelines on Scientific Integrity are found in MBL policy *K.1.2 Scientific Integrity*.
- 2.5 *Stewardship of Property and Funds:* Resources and records, including time, intellectual property, material, equipment and information, are provided for MBL business use. Nonetheless, occasional personal use is permissible as long as it does not affect job performance or cause a disruption to the workplace.

Employees and those who represent MBL are trusted to behave responsibly and use good judgment to conserve institutional resources. Managers are responsible for the

resources assigned to their departments and are empowered to resolve issues concerning their proper use.

Generally, use of MBL equipment such as computers, copiers and fax machines in the conduct of an outside business or in support of any religious, political or other outside daily activity is not appropriate. Questions about the proper use of company resources should be directed to individual managers.

The MBL wishes to foster new knowledge and secure the benefits for the long-term health of the institution. At the same time there is an obligation to keep MBL information confidential as well as the confidential information shared with the MBL community by other institutions. As a result steps to safeguard the intellectual property of the MBL are also necessary. Guidelines for this are found in MBL policy *K.1.1 Intellectual Property Policy and Procedures*.

2.6 *Recording, Allocating, and Charging Costs and Efforts:* The accuracy and reliability of financial and effort reports is of utmost importance to the business operations of the institution. At all times, staff must record, allocate, and charge costs & effort accurately and maintain supporting documentation as required by established policies and procedures. Guidelines are found in MBL policy *E.1 Grants Accounting, Policies and Procedures Manual*.

2.7 *Internal Controls:* Internal controls provide the keystone of sound business practices. These controls include adequate segregation of duties, diligent application of preventive and detective control systems, and conscientious compliance with authorization, reporting, and other established processes. Internal controls are critical to ensuring efficient operations, responsible financial management, accurate financial reporting, careful protections of assets, and satisfactory compliance with applicable laws and regulations.

2.8 *Mutual Respect for Others:* The MBL is committed to recognizing and acknowledging the dignity of its workers and visitors. As a result discrimination or harassment along sexual, racial, political, or religious lines has no place in our community. Guidelines regarding this are found in the MBL policies *A.2 EEO Policies*.

### 3.0 Obligation to Report Suspected Violations

It is the obligation of all members of the MBL community to exercise sound judgment and seek advice when appropriate, and report any concerns or complaints regarding what they see as violations of law, ethical standards, or MBL policies. Members of the MBL community may choose to seek advice, express concerns, or report suspected violations regarding ethical conduct, legal requirements or MBL policy by contacting either their immediate manager, a department head, the Human Resources Office, or the Compliance Coordinator. Several MBL policies list appropriate reporting mechanisms in the context of each policy. Additionally, Addendum A provides a list of responsible persons/departments for a variety of questions/issues that might arise.

3.1 If it is not clear to whom a question or concern should be directed, the Human Resources office is readily available for consultation.

- 3.2 If a material violation of MBL policy or a law/regulation is suspected, it should be reported, referencing the guidelines in MBL policy *G.1.20 Allegations of Misconduct*. Please keep in mind that it is not appropriate for employees to undertake their own investigation of concerns. Their obligation is to raise the concern appropriately.
- 3.3 Reporting individuals can be assured that there will be no reprisals or retaliation of any kind for reporting any type of suspected problem or possible violation if the report is made in good faith.
- 3.4 The Compliance Coordinator will oversee an independent investigation of the suspected violations of law and any resulting corrective action that may be deemed necessary.

#### 4.0 Media Contact

The MBL is a high-profile organization in our community, and from time to time, employees may be approached by reporters and other members of the media. To ensure that we speak with one voice and provide accurate information about the MBL, all media inquiries should be directed to the Director of Communications. No one may communicate with the media or issue a press release without first consulting with the Director of Communications.

#### 5.0 Reputation Risk

When not on MBL premises or representing the MBL, the personal conduct of its officers, employees, scientific or administrative staff and others acting on the MBL's behalf is his or her own to regulate. However, if such a member of the MBL community engages in behavior that discredits the MBL, it may be appropriate to review that individual's responsibilities at the MBL. Any such review will be conducted by the Director of Human Resources at the request of a department head or manager. The Director of Human Resources will make a report of findings and any recommendation to the MBL President/Director.

#### 6.0 Consequences of Violation

MBL takes seriously the standards set forth in this Code of Ethical Conduct. Failure to adhere to professional and ethical standards of conduct, or engaging in behavior contrary to the interests of the MBL or that interfere improperly with the rights of other persons, their property, or the rights/property of the MBL may be subject to disciplinary action up to and including discharge.

#### 7.0 Policy Clarification and Updates

Policy clarification and updates are available from the Human Resources Office. The MBL reserves the right to amend this and any underlying policy at anytime. Also note that this does not represent an employment contract between the MBL and any Trustee, Officer, or employee. Any exceptions to this policy must be approved by the Audit Committee.

Policy G.1.19 Code of Conduct  
Addendum A

**Resources at the MBL for guidance on standards for appropriate conduct**

Academic Fraud/Research Misconduct	Chief Academic and Scientific Officer	508 289-7415
Animals Used in Research	Institutional Animal Care & Use Committee	508 289-7652
	Campus Veterinarian	508 289-7400
Conflict of Interest, Research Staff	Chief Academic and Scientific Officer	508 289-7774
Conflict of Interest, All Others	MBL Director/CEO	508 289-7300
Construction/Facilities	Director of Facilities	508 289-7454
Copyright & Trademark Issues, MBL	Director of Communications	508 289-7423
Copyright Issues, Library	Director of MBLWHOI Library	508 289-7341
Discrimination/Harassment	EEO Coordinator	508 289-7378
Educational Issues	Chief Academic and Scientific Officer	508 289-7774
Environmental Health & Safety	Safety Officer	508 289-7424
Ethics	Director of Human Resources	508 289-7422
Financial Policies/Internal Controls	Chief Financial Officer	508 289-7201
Fraud	Director of Human Resources	508 289-7422
Grants & Contract	Manager of Research Administration	508 289-7691
HIPAA	Privacy Officer	508 289-7122
Information Technology	Director of Information Technology	508 289-7341
Personnel Issues/Employment law	Director of Human Resources	508 289-7422
Security/Theft	Manager, Plant Operations & Maintenance	508 289-7333
Other	Director of Human Resources	508 289-7422

*For general guidance or if these contacts do not adequately address an issue, please call Jonathan Gitlin, Compliance Coordinator at 508-289-7270 or via e-mail at [jgitlin@mbl.edu](mailto:jgitlin@mbl.edu). If an issue is one that you believe may involve fraud or illegal activity, you should provide a copy of materials to Jonathan Gitlin. In any case, you should feel free to contact him directly without going to any of the resources identified above.*

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Addendum B

As of November, 2011

**A.1 Director's Office**

- A.1.1 Policies and Procedures for Unfunded Scientists
- A.1.2 Policies and Procedures for Scientific Appointments and Promotions
  - A.1.2.1 Track I Scientists
  - A.1.2.2 Track II Scientists
  - A.1.2.3 Other Scientific Appointments
- A.1.3 Research Units at MBL
- A.1.4 Trustee Conflict of Interest

**A.2 EEO Policies**

- A.2.1 Illegal Harassment
- A.2.2 Drug Free Workplace
- A.2.3 Incorporated into A.2.4 March, 2004
- A.2.4 Equal Opportunity, Affirmative Action and Diversity

**B.1 Environmental, Health, and Safety**

- B.1.1 Safety Shoe Allowance
- B.1.2 Chemical Waste Disposal Policy
- B.1.3 Sharps/Biological Waste Disposal
- B.1.4 Transite Removal
- B.1.5 Bicycles in Buildings
- B.1.6 (Incorporated in D.2.4, October, 2004)
- B.1.7 Diving at the MBL
- B.1.8 Chemical Safety
- B.1.9 Radiation Safety
- B.1.10 Consumer Wastes

**C.1 Development and External Relations**

- C.1.1 Fundraising Policy
- C.1.2 Corporation & Foundation Grants and Gifts Stewardship
- C.1.3 Naming Opportunities and Endowed Funds

**C.2 Communications office**

- C.2.1 Retirement Party and Gift policy

**D.1 Facilities, Services, and Projects**

- D.1.1 Guidelines for Pets in the MBL Workplace
- D.1.2 Winter Storage and Vacating Laboratory Space
- D.1.3 (moved to Housing F.1.3 February, 2004)
- D.1.4 Keys
- D.1.5 Parking
- D.1.6 (Incorporated into D.2.4, March, 2005)
- D.1.7 Posting Notices on Doors
- D.1.8 Flag Policy
- D.1.9 Lillie Corridor Storage
- D.1.10 Facilities Improvements and Maintenance
- D.1.11 (moved to Housing F.1.4)
- D.1.12 Surplus and Disposal of MBL Materials
- D.1.13 Storm Closing and Notification Procedure
  - D.1.13.1 Essential Personnel: Winter Storm Conditions
- D.1.14 Skateboarding
- D.1.15 Authorized Access Areas
- D.1.16 Use of MBL Radios
- D.1.17 Violence Prevention

**D.2 Building Services, Transportation & Grounds**

- D.2.1 MBL Storage Box Movement Program
- D.2.2 Shipping/Receiving Policy
- D.2.3 Bicycle Storage and Locker Room Use
- D.2.4 Driver and Vehicle Use
- D.2.5 MBL Reduce, Reuse, and Recycle Policy

**D.3 Plant Operations and Maintenance**

- D.3.1 Refrigeration and Refrigerants
- D.3.2 Bulletin Boards in Hallways
- D.3.3 (Incorporated in D.1.10, March 28, 2005)

**E.1 Financial Services**

- E.1.1 Grants Accounting and Compliance
- E.1.2 Abandoned Property
- Purchasing Policy
- Unrestricted Operating Budgets, Policies and Procedures Manual

**F.1 Housing, Conference, Switchboard**

- F.1.1 Housing Policy
- F.1.2 Lead Paint in Housing
- F.1.3 Winter Storage in Cottages
- F.1.4 Washers/Dryers in Cottages
- F.1.5 Year Round Temporary Housing

**G.1 Human Resources**

- G.1.1 Performance Reviews
- G.1.2 Probationary Periods and Regular Status
- G.1.3 Attendance and Punctuality
- G.1.4 Disciplinary Procedures
- G.1.5 Leaves of Absence
- G.1.6 Sick Time
- G.1.7 Vacations
- G.1.8 Grievance Policy
- G.1.9 Smoke Free Environment
- G.1.10 Family and Medical Leave Policy
- G.1.11 Post Retirement Medical Policy
- G.1.12 Alcohol Policy
- G.1.13 Holiday Policy
- G.1.14 Employment-Based Hiring and Sponsorship Of Visas For Foreign Nationals
- G.1.15 Bereavement
- G.1.16 Jury Duty
- G.1.17 Employment of Family Members
- G.1.18 Salary Basis
- G.1.19 MBL Code of Ethical Conduct
- G.1.20 Allegations of Misconduct
- G.1.21 Alternate Work Arrangements

- G.2 Contract between the Hospital Workers Union and the MBL

**H.1 Library**

- H.1.1 Information on Library Gifts-in-Kind
- H.1.2 Procedure for Book Collection Development
- H.1.3 Use of Materials from the Rare Books Room
- H.1.4 Removed February, 2004
- H.1.5 Circulation Policy
- H.1.6 Access Policy
- H.1.7 Special Collections Policy
- H.1.8 Archival Policy
- H.1.9 Access for Archival Records
- H.1.10 Records Management

**H.2 Information Technology**

- H.2.1 Financial System Security Password Policy
- H.2.2 ISD Password Policy
- H.2.3 Network Security Policy
- H.2.4 Purchasing of Computer Resources by MBL Staff and Researchers
- H.2.5 Areas and Levels of Support for Computer Services
- H.2.6 Telecommunications Policy
- H.2.7 Telephone Account Codes and Credit Cards
- H.2.8 Email Attachments
- H.2.9 Written Information Security

**J.1 Marine Resources**

- J.1.1 Hurricane Preparedness
- J.1.2 Whitman and Loeb Sea Water Tank Room Policy

- J.1.3 MR Usage Policy
- J.1.4 Collection Support Facility Operating Policy
- J.1.5 At Sea Vessel Waste Disposal Management
- J.1.6 Purchasing Policy for Living Organisms
- J.1.7 Squid Fee
- J.1.8 Living Organism Supply
- J.1.9 Non Indigenous Species

**K.1 Offices of Research and Education**

- K.1.1 Intellectual Property Policy and Procedures
- K.1.2 Policies/Procedures on Scientific Integrity
- K.1.3 Conflict of Interest Policy
- K.1.4 Humane Care and Use of Laboratory Animals
- K.1.5 Course Alcohol Policy
- K.1.6 MBL Protection of Human Subjects
- K.1.7 Visiting Investigator Space Rental
- K.1.8 Research and Education Building Access
- K.1.9 Mentoring