

## Consulting

# Service to Non-Profit Organizations and Government Agencies

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### Scope

This policy applies to all HHMI laboratory employees, other than directors or managers of shared resource facilities at HHMI's Janelia Research Campus ("Janelia").

Laboratory employees covered by this policy include HHMI laboratory heads (Investigators and Group Leaders), Janelia Fellows, Principal Scientists, Senior Scientists, Research Scientists, Postdoctoral Associates, and other laboratory staff.

Directors or managers of Janelia shared resource facilities are not considered laboratory heads for this purpose and any service they propose to do for non-profit organizations or government agencies is subject to review and approval under HHMI Policies on Outside Affiliations, which are more restrictive than this policy. However, this policy, not the Outside Affiliations policies, applies to staff of Janelia shared resource facilities below the director or manager level.

### **Policy**

#### **Laboratory Heads, Janelia Fellows, Principal Scientists, and Senior Scientists**

HHMI does not review consulting arrangements between laboratory heads, Principal Scientists, Janelia Fellows, or Senior Scientists and nonprofit entities or government organizations, provided that the arrangements (1) are not covered by a written agreement, or (2) are covered by a written agreement that includes only basic terms such as the scope of duties, time commitment, and the amount of any honorarium or other compensation.

However, if a laboratory head, Janelia Fellow, Principal Scientist, or Senior Scientist is asked to sign a consulting or similar agreement from a non-profit organization or government agency, and the agreement asserts rights or imposes limitations that may affect the consulting scientist's laboratory activities, research results, or ability to publish, the agreement must be approved by HHMI before it is signed by the laboratory head, Janelia Fellow, Principal Scientist, or Senior Scientist.

Any consulting or similar agreement from a non-profit organization or government agency that contains references to intellectual property, confidential information, or scientific publications should be sent to the HHMI attorney responsible for the site. At Janelia these agreements may also be sent to the Senior Director, Scientific Programs, who should discuss them with the HHMI attorney responsible for Janelia.

Particular care should be taken with agreements from non-profit affiliates of biotech, pharmaceutical or other for-profit companies. In most cases, HHMI will treat consulting for a non-profit affiliate of a company as consulting for the company, and therefore as subject to [HHMI's Consulting for Companies - General Policy](#).

Time commitments under non-profit or government consulting arrangements do not count toward the annual limitation on consulting described in [HHMI's Consulting for Companies - General Policy](#). For Investigators, these time commitments also do not count toward the 75% of time that is required to be spent on research; for Group Leaders, these time commitments do not count towards the 75% of time that is required to be spent at Janelia working on Janelia research. Those eligible for Personal Time Off (PTO) must use PTO for time that they take off from their HHMI work in order to consult for non-profit organizations or government agencies.

Investigators are not permitted to accept compensation for consulting services provided to their own host institution, other than standard honoraria for named lectures or similar engagements. However, Investigators may accept compensation for consulting services provided to free-standing affiliates of the host institution (e.g., a separate hospital or research foundation).

### **Other Laboratory Staff – Talks, Seminars, and Teaching**

Because giving talks and teaching can be an important part of a scientist's professional development, Postdoctoral Associates, Janelia Research Scientists, graduate students at Janelia, and other laboratory staff may, subject to the approval of their laboratory head, give talks or seminars and teach courses for non-profit organizations (including, for host-based laboratory staff, their host institution) or government agencies, and accept reasonable compensation for doing so. They may also receive travel expense reimbursements for this type of commitment either from the non-profit organization or government agency that is engaging them, or from HHMI, again subject to the approval of their laboratory head. If a laboratory staff member who is eligible for PTO is allowed to accept compensation for giving a talk or seminar or teaching a course, the laboratory head may require the laboratory staff member to take PTO for HHMI working time the staff member misses.

Generally, a talk, seminar, or course for a non-profit organization or government agency either should not require any written agreement or should be covered by a written agreement that includes only basic terms such as the scope of duties, time commitment, and the amount of any honorarium or other compensation. Any written agreement for this type of activity that contains references to intellectual property, confidential information, or scientific publications should be sent to the HHMI attorney responsible for the site. At Janelia these agreements may also be sent to the Senior Director, Scientific Programs, who should discuss them with the HHMI attorney responsible for Janelia.

### **Other Laboratory Staff – Consulting**

Because Postdoctoral Associates, Janelia Research Scientists, and graduate students at Janelia are in an intensive training period of their career, they generally should not be doing consulting work. Other HHMI laboratory employees, such as bioinformatics specialists or technicians, may engage in paid consulting for non-profit organizations or government agencies only if their laboratory head and the appropriate HHMI Vice President (at Janelia, the Vice President and Executive Director)

approve the arrangement in advance. The consulting commitment must not interfere with the employee's HHMI work, and HHMI resources must not be used to perform the services unless specifically approved as part of the arrangement. Laboratory staff who are eligible for PTO will generally be required to use PTO to cover HHMI working time missed to perform paid consulting services for non-profit organizations or government agencies.

Generally, paid consulting by laboratory staff for a non-profit organization or government agency either should not require any written agreement or should be covered by a written agreement that includes only basic terms such as the scope of duties, time commitment, and the amount of any honorarium or other compensation. Any written agreement for this type of activity that contains references to intellectual property, confidential information, or scientific publications should be sent to the HHMI attorney responsible for the site. At Janelia these agreements may also be sent to Senior Director, Scientific Programs, who should discuss them with the HHMI attorney responsible for Janelia.

## Related Procedures, Forms and Policies

- [Consulting for Companies – General Policy](#)

## Contact

Any questions about proposed consulting for non-profit organizations or government agencies may be raised with the [Scientific Officer](#) or [HHMI attorney](#) responsible for the site, or at Janelia with the [HHMI attorney](#) responsible for Janelia.

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