

## NIH ETHICS INFORMATION MANAGEMENT SYSTEM (EMIS)

### NIH 2850 Referral for Noncompliance with Ethics Requirements

Form NIH 2850 is used by ethics officials to inform supervisors when a subordinate is not compliant with ethics requirements, and to request action by the supervisor to obtain employee compliance. It does not dictate a required action. Instead, it permits the supervisor to work with Human Resources, if needed, to determine if administrative action is needed in addition to compliance with the ethics requirement.

**Add/Edit/Save Data:** Instructions for each field are in the table below. To save new data, click on *Save* at the bottom of the screen. To save revised data, click on *Update* at the bottom of the screen.

**Delete:** To delete a record, open the record and click on *Delete* at the bottom of the screen. Click on *Yes* in the confirmation window.

NIH 2850 Referral for Non-Compliance with Ethics Requirements		
Field Names	Description	Options or Definition
EMIS ID	Internal database record number.	Not editable.
*Referred By:	Name of person submitting the referral to the supervisor.	Enter last name and first initial, e.g., ScullyD
*Referral Date:	Date form sent to supervisor.	Use m/d/yy or mm/dd/yy format for date.
*Referred To:	Supervisor's name.	Enter last name and first initial, e.g., SkinnerW
*Reason	Choose the most appropriate reason for the referral from the drop-down list, i.e., with which topic is the employee non-compliant?	
	Finan Disc	Financial Disclosure
	Divestiture	Divestiture
	HHS-520	Outside Activity, submitting form HHS 520 or lack of advance approval when required.
	Official Duty	Official Duty Activities form or level of approval.
	Award	Did not seek advance approval via form NIH 2854, gifts associated with an award.
	Recusal	Either not signing and returning a recusal document or not complying with the recusal, i.e., participating despite recusal in place.
	Hon Degree	Did not seek advance approval for acceptance of an Honorary Degree via form NIH 2855.
	Waiver	Did not have a waiver, or did not comply with terms of a conflict of interest waiver, i.e., real conflict under 18 USC 208.
	Gift Acceptance	Inappropriately accepted a gift, either from another employee or from an outside source.
	Training	Failure to complete either the New Employee Ethics Orientation or the Annual Ethics Training.
Other (See Notes)	In the notes field, indicate the reason for referring the employee. Be specific about what the employee did not do as required.	

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Resolution	Enter the resolution, the outcome, following supervisor intervention. If choose <i>Other</i> , enter explanation in the Notes field.	Complete Training Submit OGE-450 Submit OGE-278 Submit HHS-717-1 Submit HHS-520 Submit HHS-521 Submit Official Duty Memo Submit Recusal Submit Award Request Submit Honorary Degree Req Submit WAG Req Other (See Notes)
OHR Consulted?	Using the drop down, choose Yes or No, as appropriate.	<ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> </ul>
Compliance Obtained?	Using the drop down list, choose the appropriate option.	Options include: <ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> <li>• Not Required</li> </ul>
Ethics Office Receipt	Date the NIH 2850 is received back in the ethics office from the supervisor.	Use m/d/yy or mm/dd/yy format for date.
DEC Action	Using the drop down list, choose the appropriate option.	Options include: <ul style="list-style-type: none"> <li>• None Required</li> <li>• Adequate</li> <li>• Additional Needed</li> </ul>
DEC Acknowledgment	Enter the date the reply was reviewed by the ethics office DEC.	Use m/d/yy or mm/dd/yy format for date.
Notes	Text field, permits entry of 500 characters.	Be succinct. Do not repeat or summarize data already entered in the other fields.

**Upload Files:** This function permits you to upload files and attach them to the open record. At the bottom of the screen, click on *Browse*; locate the desired file; double click the file name; add a description if desired. PDF files are the best attachments because they can be opened by all users.

Files for the NIH 2850 Referral form report shall be named using the employee's last name and initial(s), form number, reason for referral, and date of referral. Use hyphens between words/sections; do not use spaces.

Example: Dr. Indiana Jones was referred to his supervisor on August 1, 2015, because he did not submit his Public Financial Disclosure Report (OGE 278) despite numerous reminders. The final scanned pdf of the completed form will be named: JonesI-2850-OGE278-2012-8-1.pdf

**Document History:**

File Name: Q:\EMIS\SOPs\Employee-Forms\NIH-2850-Referral-Data-Entry.doc

- 11/22/11 Original document posted. NEO
- 3/22/13 Revised for format consistency. FEPLYler
- 4/21/14 Revised. Updated logo and some field instructions. NEO (C.Galvin-Combet)