

UNIVERSITY PROPOSAL

6-8-21

ARTICLE 9

INTELLECTUAL PROPERTY, SCHOLARLY AND RESEARCH MISCONDUCT

Section 1. SWs are covered by and subject to the University's policies and procedures on Intellectual Property and Scholarly and Research Misconduct, as may be amended from time to time. There is one University-wide policy on Intellectual Property at Harvard ("Statement of Policy in Regard to Intellectual Property"), which applies to all faculty, students, and staff. Scholarly and research misconduct policies at Harvard are School-based. Issues and disputes arising under such policies are not subject to the Grievance and Arbitration provisions of this Agreement. Complaints regarding intellectual property or scholarly and research misconduct are processed in accordance with University or School policies and related procedures, which may be amended from time to time by the University or the School. SWs shall be entitled to Union representation during any investigation of a misconduct allegation.

Section 2. The University shall not engage in any form of retaliation against a SW who engages in any good faith effort to assert rights under the Intellectual Property policy or who otherwise participates in any investigation into alleged scholarly misconduct by other faculty, students or University appointees.

Section 3. The University will promptly provide the Union with a copy of any changes to the University's Statement of Policy in Regard to Intellectual Property and any University-wide Research Integrity/Misconduct policies. The current Intellectual Property Policy and all current Scholarly and Research Misconduct policies from the Schools are posted on the website of the Office of the Vice Provost for Research (vpr.harvard.edu)

The University will ensure that any School's Scholarly and Research Misconduct Policy makes it clear as to how disputes or reporting matters are processed under their policy.

The University will ensure that by September 1, 2021, each School has such a local policy in place for handling such matters and that the Union is provided with a copy of such policy.

Section 4. The University will maintain a reasonable "plain-language" summary of the University's "Statement of Policy in Regard to Intellectual Property" on an appropriate website with notice to the Union as to its location. The Union is also free to post the plain language summary on its own web site. The Intellectual Property Policy summary is only for general guidance and does not serve as a substitute for the actual Policy itself; in all cases, the language of the Policy itself will govern. Any SW with a question about the plain-language summary or the policy itself or with a question or concern about an invention or a copyright issue may contact the Office of Technology Development (otd@harvard.edu). Additional information as to how Harvard protects and commercializes Intellectual Property can be found on the OTD website. (otd.harvard.edu)