

WCHO		<i>Policy and Procedure</i>		
Department Human Resources		# of Pages: 3		
Policy Name OWNERSHIP OF WORKS MADE FOR HIRE		Type of Policy: [<input checked="" type="checkbox"/>] WCHO [<input type="checkbox"/>] Regional [<input type="checkbox"/>] Network		
Policy Number 05.005	Effective Date	Revision Date	Approval Date	
Administrative/Board of Directors Sign Off				
Administrative Signature:			Date:	
Board of Directors Signature:			Date:	

I. PURPOSE

To establish a policy and guidelines regarding the ownership of works produced by staff of the Washtenaw Community Health Organization (WCHO) and those of organizations under contracts to the WCHO.

II. APPLICATION

All WCHO staff and those of organizations operating under contract with the WCHO.

III. DEFINITIONS

Works: Products that are written down or are in some other form, which can be reproduced or otherwise communicated.

Works Made for Hire: Products (e.g. written materials, games/teaching aids, computer software), which are prepared by a staff person within the scope of that individual's employment activities.

Staff Person: A full or part-time employee, or contractual staff, of the WCHO or of an organization under contract to the WCHO.

IV. POLICY

The County of Washtenaw, pursuant to Title XVII of the United States Code, shall own all work made for hire by staff of the WCHO, whether completed partially or in their entirety during time for which the person is compensated by the County, either by pay or compensatory time, unless the County and that person expressly agree otherwise in writing. The WCHO shall initiate copyright applications for works which warrant copyright protection in order to guard against their use by unauthorized persons.

V. EXHIBITS

None

VI. REFERENCES

Memo from Miriam E. Meier, Office of Corporation Counsel, dated May 11, 1984

VII. PROCEDURES

WHO

DOES WHAT

Program Administrator

Informs all staff persons in programs of the existence and content of this policy. Notifies new employees at the time of hiring.

Negotiates wording for a proposed Contractual Worker's Agreement with the WCHO to specify ownership of works to be produced if there is a need to clarify a particular situation, or negotiates a written Memorandum of Understanding with a current employee if there will be an exception to this policy.

Forwards draft Agreement or Memorandum to Director for review and signature.

Director or Designee

Submits Agreement or Memorandum to Washtenaw County Office of Corporation Counsel for review and comment to determine if proposed Agreement or Memorandum is legal and protects interests of the WCHO and County.

Corporation Counsel

Advises Director regarding legal aspects and appropriate wording of Agreement or Memorandum.

Director or Designee

Concludes negotiation of the Agreement with a proposed contractual worker or the Memorandum with a current employee.

Proposed Worker or Employee

Signs Agreement or Memorandum if in agreement.

Director or Designee	Signs Agreement or Memorandum if approved. Routes memorandum to appropriate County officials for their signature and return to the Director's office.
Director's Office	Retains original Agreement with relevant documentation (e.g. written opinion of Counsel), forwarding copy to Program
Corporation	Administrator/ Designee for contractual worker.
Administrator/Designee for staff person	Files Memorandum with relevant documentation and forwards copy to Program
Copyright Applications	Informs Director of products which are believed to warrant and be eligible for copyright protection.
Program Administrator	Requests Corporation Counsel to obtain copyright application forms, and to assist in completing and submitting these forms if the product(s) should be copyrighted.
Director or Designee	Works with Corporation Counsel to assure that all proper steps are completed to obtain the copyright. Informs appropriate the WCHO and County staff if copyright is obtained and arranges for putting copyright notice on the product(s).