



**ESSEX COUNTY COLLEGE
Confidential Conflict Disclosure**

Employee's Name: _____ Dated: _____

Position: _____ Dept. /Office: _____

1. Please list all of employment (including self-employment) other than Essex County College, you are (or expect to be) engaged in from the latter of commencement of hire at Essex County College, or January 1, 2015 through December 31, 2015. Describe the position(s), time expended and financial remuneration (such as monies, gift, presents, vacations, etc.). If none, write "None".

2. Please list all formal relationships (blood, business, legal, honorary) you hold with another employee/agent of Essex County College or any person doing business with Essex County College. Describe the relationship and the nature of the third party's involvement with Essex County College (e.g., brother – employee in Financial Aid Dept., or landlord – brother of PSA officer). You need not list friends. However, you have an ongoing professional responsibility to treat any friends affiliated with Essex County College no better or worse, in the employment setting, than you would anyone else. If none, write "None".

3. Please sign the following declaration if it applies:

Having read Essex County College's policy on Conflict or Interest, I certify that except as set out above, I am not engaged in any form of employment, activity, or personal relationship that constitutes, or based upon an objective review of the facts could reasonably be interpreted to constitute, an actual or potential conflict with my position and responsibilities at Essex County College.

Signature of Employee

If you cannot sign the above declaration, or if you are uncertain about any aspect of the policy and how it applies to you, please consult the Department of Human Resources.



Conflict of Interest Policy

Preface

Essex County College's Conflict of Interest Policy forbidding any activity that creates a conflict between an employee's obligations to the College (including its approved affiliates) and the employee's private interests, be they personal, financial, proprietary, familial, or political. This policy statement is issued for the guidance of all employees: faculty, staff and students. Both policy and its implementation procedures will be administered fairly and equitably.

Definition

A "conflict of interest" exists whenever a person misuses, or gives the appearance of misusing, a position of public trust for private benefit or personal advantage. A conflict may occur anywhere along a broad spectrum of actions ranging from overtly criminal conduct to behavior that could potentially lead to a *perception* of ethical impropriety.

Statement of Policy

Consistent with the law and executive mandates governing public entities in the State of New Jersey, and consistent with its good faith covenants and the contractual obligations, the College adapts this conflict of interest policy as follows:

As a public, institution of higher education, serving the State of New Jersey, the higher education community, and the general public, the College is cognizant that it occupies a position of trust. The College therefore accepts an unequivocal obligation to preclude the occurrence of legal and ethical impropriety, including the appearance of impropriety, on the part of its employees.

The College forbids any conduct that places, or appears to place, an employee's personal, financial, proprietary, familial, or political interests in conflict with the College's best interest or the College's contractual obligations. Supervisory personnel shall not knowingly condone a clear conflict of interest and will be held accountable for enforcing this policy.

To facilitate compliance, the College requires self-disclosure of an existing conflict. A potential conflict is defined as any circumstance that creates a reasonable doubt as to legal or ethical propriety under this policy of the law.

This policy statement applies to all College employees (faculty, staff and student employees).



The specific examples offered below illustrate some of the types of conflict that require both self-disclosure by the employee and corrective action. The following items are to be understood as illustrative guidelines, and not as a comprehensive or exhaustive list of prohibitions:

- **Unauthorized** usage of College, facilities, or tangible or intangible products for private financial advantage, direct or indirect.
- Exerting intentional, direct, or indirect influence in contractual matters or other operational matters between the College (including its affiliates) and any private enterprises in which a personal, financial, proprietary, familial, and/or political interests is involved;
- Pursuing and/or maintaining any non-College business interests and/or professional endeavor that significantly interferes with the employee's commitment of time and professional energy to the College.
- **Unauthorized** acceptance or extension of monetary, personal, or other reasonable favors from/or to a private enterprise with which the College conducts business or persons with whom the College conducts business;
- Engaging a College student or another College employee **without authorization** as an employee, consultant, or third party contractor of a business, research, or consulting venture in which the employee holds a significant ownership or financial interest;
- **Undisclosed** family relationships with students or employees where one party to the relationship holds either decisional authority, recommending authority, or significant influence over the academic, economic, and/or employment standing of the other party;
- Solicitation or acceptance of personal favors (including sexual favors) from students or other employees in return for positive academic evaluation, financial consideration, improvement in employment status, or other significant consideration related to College operations;

Some conflicts of interest may arise unintentionally. Other situations, though not constituting an actual conflict of interest, may carry an appearance of impropriety. This policy applies to both unintentional conflicts and the appearance of conflict.

Full disclosure is required in all cases. Some conflict situations may be amendable to modification leading to College and/or affiliate authorization. Certain potential conflict situations may be managed in an acceptable manner through close scrutiny and strict adherence to prescribed conditions.



It is not the intent of this policy to authorize or encourage needless intrusion upon any individual's personal behavior or endeavors. It requires self-disclosure. While vigilant enforcement is expected, reckless or malicious disclosure of alleged conflict or rumor – mongering by third parties is discouraged and may be subject to sanctions.

PROCEDURES

Disclosure

Self-disclosure is not only the least invasive means of ensuring compliance with this policy but also affords the opportunity for mutually compatible resolution of actual or potential conflicts of interest. The responsibility for full self-disclosure rests with each employee.

Disclosure necessitated by a developing or potential conflict should be directed to the attention of either the employee's immediate supervisor or, the Vice President under whose stewardship the employee works.

Annual Disclosure Requirement

Annual disclosure is required of each employee, whether or not a conflict situation has arisen and has been disclosed in accordance with this policy and procedure within the past year. Annual disclosure shall be made wither through completion of the attached "conflict –of-interest disclosure form" or through certification to the College in a signed letter which addresses all issues specified in the College provided form.

Annual disclosure shall be forwarded directly to the appropriate academic dean or vice president. All members of the senior staff shall forward annual disclosure to the President of the College.

Consultation Review

The Office of General Counsel is available for consultation by any employee who is uncertain as to whether a specific set of circumstances constitutes a conflict or potential conflict in violation of this policy.

Such consultation will be treated as confidential to the greatest degree practicable in conformity with College regulations and applicable law. Following consultation, responsibility for formal self-disclosure remains with each individual employee.

CONSEQUENCES OF CONFLICTS OF INTEREST

Disclosed conflicts will be managed in a manner acceptable to the College and the employee wherever feasible and warranted. Undisclosed conflicts may result in sanctions ranging from written reprimand or the discontinuance of the specific activity to termination of employment.



EXCEPTIONS

Exception 1 - Professors: Scholarly Capacity

- Notwithstanding the requirements and prohibitions regarding attendance at events set forth in Section IV of the Uniform Ethics Code, an Essex County College employee, acting in a scholarly capacity, attending, participating in, or making presentations at colloquia, seminars, conferences, or similar scholarly gatherings may accept a direct or indirect benefit, including the acceptance of reasonable travel and subsistence expenses and allowable entertainment expenses. Essex County College, acting in a scholarly capacity, may accept an honorarium, academic prize or other thing of value reflects payment for orally or in writing sharing his or her intellectual work.
- Except as provided in (1) above, an Essex County College employee acting in a scholarly capacity shall not accept entertainment collateral to the event , such as a golf outing , or meals taken other than in a group setting with all attendees, or reimbursement therefore.
- An Essex County College employee acting in a scholarly capacity may require the use of his or her own published work(s) in a course that he or she teaches at. However, monies resulting from such use must be donated.
- An Essex County College employee acting in a scholarly capacity may accept compensation for the use of his or her published work(s) in a course that he or she does not teach, provided that he or she was not involved in the selection of the published work for use in that course. If he or she were involved in the section of the published work, the provision in subparagraph (1) are applicable.

Exception 2 – Employees

- Essex County College employees who for the benefit of learning and/or acquiring skills and knowledge may participate in events/ activities sponsored by the College business affiliates, vendors and/or supplies of goods and services. However, the employee must NOT accept or receive any benefit (Monetary or otherwise) different in kind from that of all other attendees.

Example: Employee is invited for luncheon with all conference attendees and given a ticket to play golf however, only select employees /attendees received the golf tickets.

This is a conflict of interest and thus the employee must not accept the golf ticket.



SOLICITATION OR ACCEPTANCE OF A THING OF VALUE (N.J.A.C. 19:61-6.9)

Notwithstanding the prohibitions contained in the Uniform Ethics Code and applicable regulations regarding acceptance of gifts and/or things of value, an Essex County College employee serving in a scholarly capacity may accept an honorarium, academic prize or other thing of value if the honorarium, academic prize or other thing of value reflects payment for orally or in writing sharing his or her intellectual work, acting in an editorial capacity for a journal or other publication or reviewing in accreditation or other peer review activities.

ANNUAL SCHOLARLY CAPACITY DISCLOSURE

An Essex County College employee serving in a scholarly capacity shall disclose annually any travel, subsistence or entertainment expenses, honoraria, academic prizes, or other things of value related to activities performed in his or her scholarly capacity received in the prior calendar year. The sources of all such expenses and things of value shall be identified. If the employee, serving in a scholarly capacity, has received nothing of value, that shall be reported as well.