

# Essex County College College Regulation

## REG 2-24 INSTITUTIONAL CODE OF ETHICS AND CONDUCT

**Policy:**

Relationships between members of the Essex County College community and individuals and entities outside the College have become increasingly numerous and complex. This has led to an increase in the range of circumstances where a conflict may arise between the interest of the College and the interest of either a member of the College community or a non-College entity with which a member has an association. In order to maintain the public's confidence in the integrity of the College, the successful operation and reputation of Essex County College must be guided by principles of fair dealing and ethical conduct of its officers and employees.

**Plan:****Definition(s):**

When used in this Regulation, the following words and terms shall have the following meanings, unless the context clearly indicates otherwise.

“Board” means the Board of Trustees of the College.

“College Matter” means any award, bid, claim, contract, application, license, proceeding, resolution or transaction involving the College or which requires any official action by the Board officers or employees.

“Continuing Outside Employment” means outside (external) employment activity which requires that the employee render services, furnish goods or devote time to another employer on a recurring basis. Continuing outside employment does not include an isolated commitment to serve as a guest lecturer or a singular instance of providing service or labor.

“Immediate Family” means the spouse, natural or adopted child, grandchild, parent or sibling of the employee.

“Interest” means when the conduct of an employee may have the effect of directly or indirectly conferring a pecuniary benefit on that employee, an immediate family member of that employee, an organization or any entity which that employee is an officer, director, member, or shareholder.

“Person or Party” means any natural person, association, corporation, estate, partnership, proprietorship, trust or other legal entity.

1. All College employees are prohibited from having any interest, financial or otherwise, direct or indirect, or engaging in any business or transaction or professional activity which is in substantial conflict with the proper discharge of their duties.
2. All College employees are prohibited from using their official positions to secure unwarranted privileges or advantages for themselves or others.
3. All College employees are prohibited from acting in their official capacities in any College matter in which they have a direct or indirect interest that might reasonably be expected to impair their objectivity or independence of judgment.

4. All College employees are prohibited from undertaking any continuing outside employment or service, whether compensated or not, which might reasonably be expected to impair their objectivity and independence of judgment in the exercise of their official duties.
5. All College employees are prohibited from accepting any gifts, favors, services, or other things of value under circumstances which gives rise to the inference that such gifts, services or other things of value were given or offered for the purpose of influencing them in the discharge of their official duties. Officers and employees may however accept meals which are offered in connection with a meeting or event so long as all attendees of such meeting or event are also provided such meals. In the event that a sponsor of a meeting has pending with the College a matter on which the officers or employees must act in the exercise of their duties, during the time that said matter is pending, officers and employees shall not accept any meals from such sponsor.
6. All College employees are prohibited from knowingly acting in any way that might reasonably be expected to create an impression or suspicion that they may be engaged in conduct violative of their trust as public officers or employees.
7. All employees of the College are prohibited from using their public office or employment or any information not generally available to members of the public for the purpose of securing financial gain for themselves or others with whom they are associated.
8. Any full-time employee of the College who contracts with the College must obtain approval of the Board if contract amount exceeds \$3,000.00.
9. The primary work obligation of a full-time employee of the College is to the College. No full-time employee of the College shall engage in continuing outside employment unless the College first determines that the outside employment does not constitute a conflict of interest which gives rise to substantial interference and as such, does not:
  - (a) Impair employee objectivity and independence of judgment in the exercise of official duties.
  - (b) Occur at a time when the employee is expected to perform his or her assigned duties.
  - (c) Diminish the employee's efficiency in performing his or her primary work obligation at the College.

A full-time employee shall report any continuing outside employment to his/her immediate supervisor. The supervisor shall transmit same to the area head, and based on the factors set forth above, the supervisor and area head will both make a finding whether a conflict exists, and report same to the Director of Human Resources. If a conflict is found, the affected employee may appeal to the President or appropriate designee. All findings of the President or the appropriate designee shall be final.
10. If it is determined that an employee's outside employment creates a conflict of interest, the Director of Human Resources shall notify the individual of the same and request that the outside employment be terminated. The individual may appeal this decision to the President of the College. The decision of the President is final and binding.
11. Compliance with this Regulation governing institutional ethics and conduct is the responsibility of every officer and employee. Disregarding or failing to comply with standards of conduct set forth herein could lead to disciplinary action, up to and including termination of employment.

<b>Stakeholder(s):</b> Executive Vice President	<b>Reference:</b> <i>N.J.A.C. 9A:3-1.1 et seq.; N.J.S.A. 18A:3B-14(e); N.J.S.A. 52:13D-12 et seq.; N.J.S.A. 40A:9-22.1 et seq.</i>
<b>Regulation History:</b> 09/03	<b>Distribution:</b> Standard (REG 1-2)
<b>Operating Procedure:</b> No	