

## **Employee Code of Conduct**

### **I. Statement and Purpose**

Essex County College seeks to provide and sustain an environment conducive to collaboration, mutual respect, trust and critical examination of the College's mission, vision and values. The objective is to further the search for knowledge, and to successfully encourage all employees to work toward the common purpose of achieving the College's mission. A collaborative environment requires all employees to adopt a responsible approach in the performance of their duties within their respective areas of competence. In addition, we must all accept our role in educating or assisting students, and colleagues, using appropriate standards of conduct that support the principles of diversity, collegiality, and academic freedom.

The Employee Code of Conduct establishes goals, standards of responsibility, and core principles which the College regards as best practices. This document applies to all employees, whether probationary, non-probationary, non-tenure track, tenure-track, tenured, full-time, part-time, or temporary, employee interactions with students, employers, coworkers, government, and the general public, as well as student employees.

### **II. The College's Commitment to Employees**

This portion of the document specifies the commitment of the College to maintain an environment that supports each employee's ability to fulfill their duties in working towards the common purpose of achieving the College's mission, especially related to providing excellence in postsecondary learning.

In recognition of the College's central functions and mission as an institution of higher learning; a major objective of the Board of Trustees, President and administration is to promote a collaborative and supportive working environment. Doing so requires the commitment to protect, encourage, and recognize faculty and staff in the performance of their duties related to teaching, learning, student and institutional support, professional development, scholarly work/research, and community service.

All employees can expect the Board of Trustees and administration to support:

- Academic freedom when acting as a faculty member, including the right to respectfully present controversial material when it is relevant to a course of instruction;
- Freedom to address, in an open and constructive fashion, any matter of institutional policy or practice, whether or not as a member of an established committee of institutional governance;
- Freedom to question the action(s) of an individual, if done with respect and following appropriate due process for that individual, with the understanding that only the individual's supervisor or executive administrators can take any disciplinary action; and
- The establishment of fair procedures, policies, and due process, that allow for the voice of one's colleagues to be heard as recommendations in matters of promotion, faculty tenure,

and discipline, with the understanding that such recommendations should be based on the employee's professional qualifications, professional contributions and accomplishments, and professional conduct.

### **III. Professional Responsibilities of Employees**

The principles driving the professional responsibilities of faculty and staff encompass major areas traditionally found and reflecting best practices in higher education.

The responsibilities listed below are organized around an employee's responsibilities to colleagues (both faculty and staff) and the College community. The general standards of responsibility listed below are not exhaustive.

#### **Responsibilities of Employees as Members of the College Community**

The Employee Code of Conduct asserts that all Essex County College employees have certain key responsibilities as professional members of the College community. Included are the responsibilities to:

- Observe and follow all duly established local, state and federal laws;
- Respect the rights, opinions, privacy, and property of individuals, groups, the College, and the neighboring community;
- Refrain from actions that deny other members of the College community their rights as described or provided for in policies of the College;
- Be knowledgeable of and follow all published College policies;
- Perform one's responsibilities and duties and be accountable;
- Recognize that, as an employee of the College, one's primary focus should be on achieving the College's mission and goals, and that secondary employment should be limited, particularly if it interferes with one's primary responsibilities and duties or is contrary to the best interests of the institution;
- Collaborate and assist other College employees acting within the scope of their employment and duties as appropriate;
- Exhibit behavior that does not interfere with academics, professional development, scholarly work and research, or any College services, operations or activities;
- Promote a collaborative culture, participate, and be proactive in consensus-building and problem solving;
- When disagreeing with a decision, do so in an open and constructive manner, and understand that not all decisions will have full agreement;
- Exhibit appropriate behavior both on and off campus when acting as a College representative; and
- When speaking or acting as a private person, avoid creating the impression that one is speaking or acting for a college department, area, or for the College as a whole.

#### **IV. Obligation to Report Actual or Suspected Conduct Violations**

Actual or suspected violations of this Code should be reported to the Compliance Department. Employees may utilize the Compliance Hotline to report any violations. Reporting of violations will not result in retaliation to the employee, or subject to any form of reprisal for reporting of concern in good faith under this Code, or participating in an investigation into any such concern. Retaliation is prohibited and is a violation of this Code and should be reported immediately. Retaliation against any employee will be acted upon accordingly.

All inquiries, complaints, and reports will be promptly investigated within fifteen (15) business days of the reporting of a violation to the Compliance Department. Employees are expected to fully cooperate in the investigation. Reasonable measures will be taken to preserve confidentiality of the claim and the identity of anyone who reports a suspected violation or participates in the investigation.

If you are unsure whether a violation has occurred, the College encourages you to consult with the Compliance Department.

#### **V. Conflicts of Interest**

A conflict of interest is defined as the existence of a situation where an employee's position or authority may be used to influence or make decisions in a way that would lead directly or indirectly to financial or personal gain for the employee, friends of the employee, or for members of his or her family. Employees should avoid conflicts of interest that might compromise the integrity and objectivity of the College. Examples of situations involving potential conflicts of interest include: working for the College as an outside vendor; using information deemed to be privileged or confidential by the College for the benefit or personal gain of a person or entity outside the College; utilizing discounts allowed for business activities to the College for personal use or gain; soliciting for oneself or for a third party anything of value from any person or entity in return for any business or service provided by the College; and working in a conflicting position without the expressed approval by the President or appropriate personnel.

Conflicts of interest may also exist where:

- A College supervisor has an additional financial or other relationship with his or her employee, such as employing the employee in an off-campus job, acting as the employee's landlord, or being the employee's child, parent, spouse, or partner; or
- A College faculty member who is an instructor or advisor to a student, also, has a financial or other relationship with one of his or her students or advisees. Such as, employing the student in an off-campus job, acting as the student's landlord, or being the student's child, parent, spouse, or partner.

Such potential conflicts of interest should be avoided where possible, and must be declared to the relevant supervisor.

Financial conflicts of interest (for example, an employee's participation in the ownership or management of an entity that does business with the College) should be disclosed to the

Comptroller's Office for review. No member of the faculty or staff may approve, recommend, or promote a business transaction with a firm in which that person is an officer or senior management employee, or holds more than a five percent equity interest, unless such person first discloses in writing the business relationship and the circumstances of the contemplated activity to the Comptroller's Office.

## **VI. Conduct Statement**

Consistent with the mission, values, and vision of the College, employees are expected to:

- Maintain the privacy of all individuals and the confidentiality of information entrusted to them regarding individuals and the College.
- Promote collegial interpersonal behavior that enhances productive work and the learning environment.
- Participate in education and training as necessary to maintain professional competence.
- Use College facilities, equipment, supplies and resources, including telecommunications and information technology resources, responsibly for legitimate College business.
- Abide by all College Regulations, Board Policies, Collective Bargaining Unit Agreements, and the Employee Handbook.

Consistent with the mission, values, and vision of the College, employees must refrain from:

- Behavior that is disrespectful of others (i.e. other College employees, students, vendors, visitors, etc.)
- Use of one's position or powers of employment to:
  - Coerce a student or employee
  - Secure unwarranted privileges or advantages for himself or herself
  - Cause harm to a student/employee
  - Cause the student/employee to promulgate the employee's wishes rather than the student's/employee's wishes for arbitrary or personal reasons
- Romantic relationships with an individual whom they supervise. Faculty members shall not engage in romantic relationships with a student for which the faculty member has any academic responsibility (such as having the student in his or her course, mentoring or otherwise advising the student, and writing letters of recommendation for the student). If a supervisor becomes involved in a romantic relationship with someone he/she supervises, the supervisor must disclose this to the Director of Human Resources so that an appropriate transfer of supervisory authority can occur.
- Disruptive conduct which includes, but is not limited to, but reasonably related to violence committed against any member or guest of the College; this includes, but is not limited to, forcible interference with the freedom of movement of any member or guest of the College, obstruction of the normal processes, activities, and functions of the College community; assault or battery upon College or local security/police officers; disruptive and/or criminal activities as defined and prohibited in New Jersey Statute Title 2C – The New Jersey Code of Criminal Justice.
- The College will maintain zero-tolerance in regard to the following behavior that is directed to students, fellow employees, members of the College community, and members of the greater community:

- Harassment, which includes, but is not limited to, any gesture, written, verbal, non-verbal, physical act, or electronic communication that targets another individual and that takes place on or off College property or at any College sponsored function;
- Bullying, which is hereby defined as repeated, unreasonable actions of employees (or a group of employees) directed towards an employee (or group of employees) which are intended to: intimidate, degrade, humiliate, undermine, create a risk to the health and safety of employee(s), blame without factual information, or the treatment of an employee that is different from the rest of the employees work group.

## **VII. Relationship of this Code to Possible Disciplinary Action**

The need and authority to discipline employees for misconduct derives from the shared recognition by employees and the administration that the purpose of discipline is to preserve conditions that support the common purpose of achieving the College's mission.

In some instances, conduct that is contrary to the aforementioned standards and responsibilities may be considered unacceptable, and may result in disciplinary action where the alleged misconduct is investigated and resolved in a fair, responsible, and timely manner.

Employees may be subject to disciplinary action for conduct which, while not specifically contrary to one of the standards or responsibilities listed above, meets commonly recognized standards for unacceptable professional behavior. Specific information on employee discipline can be found in the *Employee Handbook (August 2018)*.

## **VIII. Document Review**

This document will be reviewed every three years and as needed. Further, each employee must certify that he/she has read and agrees to abide by the Code on or before July 1<sup>st</sup> of each calendar year.

The President has assigned the responsibility for the day-to-day oversight concerning the provisions of this document to the Senior Compliance Associate(s) under the direction of the Chief Compliance Officer.