

New Jersey City University

Code of Ethics

I. PURPOSE

This Code of Ethics is established and adopted in accordance with the N.J. Conflicts of Interest Law (N.J.S.A. 52:13D-12 et seq., N.J.A.C. 19:6-1.1 et seq.) to specify the general standards of conduct necessary for the proper and efficient operation of New Jersey City University (NJCU). It is essential that the conduct of public employees shall hold the respect and confidence of the people. Therefore, public employees of New Jersey City University must strive to avoid conduct which is in violation of the public trust or which creates a justifiable impression among the public that such trust is being violated.

II. APPLICABILITY

This Code of Ethics is applicable to all employees paid from federal, state, county, or other funds and who are employed by New Jersey City University. All references to employees include University faculty, staff, administrators, and student employees. Furthermore, this code is applicable to all members of the Board of Trustees of New Jersey City University. University employees are also subject to existing University policies that govern employee conduct and activities and the applicable compliance procedure therein, as well as the requirements of the New Jersey Conflicts of Interest

“State officer or employee” means any person, other than a special State officer or employee (1) holding an office or employment in a State agency, excluding an interstate agency, other than a member of the Legislature or (2) appointed as a New Jersey member to an interstate agency.

“Special State officer or employee” means (1) any person holding an office or employment in a State agency, excluding an interstate agency, for which office or employment no compensation is authorized or provided by law, or no compensation other than a sum in reimbursement of expenses, whether payable per diem or per annum, is authorized or provided by law; (2) any person, not a member of the Legislature, holding a part-time elective or appointive office or employment in a State agency, excluding an interstate agency, or (3) any person appointed as a New Jersey member to an interstate agency the duties of which membership are not full-time.

“Ethics Liaison Officer” means the individual appointed by the President to serve in that capacity.

“Member of the immediate family” means the employee’s spouse, child, parent, or sibling residing in the same household.

“Interest” means (1) the ownership or control of more than 10% of the profits or assets of a firm, association, partnership or more than 10% of the stock in a corporation for profit other than a professional service corporation organized

IV. Policy

1. No University employee or officer should have any interest, financial or otherwise, direct or indirect or engage in any business or transaction or professional activity which is in substantial conflict with the proper discharge of his/her duties. Any University employee or officer who feels he/she must recuse himself/herself from a matter, because of a potential conflict under this section, should consult the University policy statement on recusal in the Conflict of Interest Policy or the Ethics Liaison Officer. See Attachment A.
2. No University employee or officer should use his/her official position to secure unwarranted privileges or advantage for himself/herself or others. Any employee or University officer who feels he/she must recuse himself/herself from a matter, because of a potential conflict under this section, should consult the University policy statement on recusal in the Conflict of Interest Policy or the Ethics Liaison Officer. See Attachment A.
3. No University employee or officer should act in his/her official capacity in any matter in which he/she has a direct or indirect personal financial interest that might reasonably be expected to impair his/her objectivity or independence of judgment.
4. No University employee or officer should undertake any employment or service, whether compensated or not, which might reasonably be expected to impair his/her objectivity and independence of judgment in the exercise of his/her official duties, or would interfere with the employee's ability to fulfill his/her employment obligations.
5. No University employee or officer should accept any gifts, benefits, favors,

\$500. The \$500 limit also does not apply where payment is made by a non-profit organization of which the University officer or employee is an active member and his/her membership fee is paid by the State. The \$500 limit also does not apply where the non-profit organization does not contract with the State to provide goods, services, materials or equipment.

- iii. Under no circumstances may a University officer or employee accept entertainment collateral to the event, such as a golf outing or meals taken other than in a group setting with all attendees.
- iv. The University officer or employee may not accept an honorarium or fee for a speech from the sponsors.

- 7. No University employee or officer may accept a ticket on behalf of him/herself or others to any event, exhibition or activity from any person/organization that has, or is seeking, a business relationship, financial or otherwise, with the University, where such event, exhibition or activity is one to which admission is charged and does not involve the performance of the official duties by the employee or the officer. If an employee or officer is offered or receives tickets for the attendance of him/herself or others, he/she shall notify the Ethics Liaison Officer within five (5) business days of the

11. The Conflicts of Interest Law prohibits a State officer or employee from undertaking or executing, in whole or in part, any contract, agreement, sale or purchase valued at \$25.00 or more, made, entered into, awarded or granted by any State agency by himself/herself or by his/her partners or through any corporation which he/she controls or in which he/she owns or controls more than 1% of the stock, or by any other person for his/her use or benefit or on his/her account.

No Special State officer or employee having any duties or responsibilities in connection with the purchase of or acquisition of property or services by the State agency where he/she is employed or an officer shall knowingly himself/herself, by his/her partners or through any corporation which he/she controls or in which he/she owns or controls more than 1% of the stock, or by any other person for his/her use or benefit or on his/her account, undertake or execute, in whole or in part, any contract, agreement, sale or purchase of the value of \$25.00 or more, made, awarded or granted by that State agency.

Further, the Conflicts of Interest Law exempts certain categories of contracts with State agencies other than State colleges or universities from the general prohibition contained in the above paragraph of this section as follows:

- a. purchases, contracts, agreements or sales that are made after public notice and competitive bidding; or
 - b. purchases, contracts, agreements or sales that are awarded without public notice and competitive bidding pursuant to N.J. S.A. 52:34-10; or
 - c. contracts of insurance entered into by the Director of the Division of Purchase and Property, Department of Treasury pursuant to N.J.S.A. 52:27B-62.
12. A University officer or employee may contract with the University or another State college of university for the performance of any work or the furnishing or hiring of materials or supplies if one of the following conditions is met:
 - a. if the total sum of the contract exceeds \$18,600*, [\$20,800 effective July 1, 2005] the contract is awarded after a public notice and competitive bid pursuant to N.J.S.A. 18A:64-55; or
 - b. if the contract conforms to the requirements of N.J.S.A. 18A:64-56(a), which provides that:
 - i. the subject matter of the contract is included in N.J.S.A. 18A:64-

- iii. the contract is awarded by resolution of the University's Board of Trustees at public meeting.

Any contract made pursuant to paragraphs 11 and 12 must have the prior approval of the

University, where the contract or agreement is for the development of scientific or technological discoveries or innovations in which the University has a property right, if the faculty or staff member receives approval to do so in accordance with the administrative procedure adopted for this purpose as specified in University policy.

17. Any University employee or officer who is the equivalent of a State agency head or deputy or assistant head of a State agency are expressly prohibited from having any personal, contractual or business relationship with any other officer or employee or special State officer or employee of the University.

V. Reporting Outside Employment

COMPENSATED EMPLOYEES

Compensated employees who engage in outside employment must report such employment annually to the President or his/her designee (Ethics Liaison Officer) in accordance with established University policies and practices. University employees who are members of a bargaining unit must report their outside employment to the President or his/her designee. Employees not included in a bargaining unit are to obtain prior approval if they wish to engage in outside employment. The President, or his/her designee (Ethics Liaison Officer), will make the determination of a possible conflict of interest and apprise the individual of any concerns. Advice and counsel of the New Jersey Executive Commission on Ethical Standards may be sought prior to making a determination in this matter of necessary. The Ethics Liaison Officer at the University will maintain and furnish forms. See Attachment B.

Further, employees should not engage in any particular business, profession, trade or occupation which is subject to licensing or regulation by a specific agency of State Government without promptly filing notice of such activity with the Executive Commission on Ethical Standards.

VI. Employment of Family of Household Members

To avoid issues of favoritism and any potential conflict of interest, no employee shall act in his or her official capacity in any University matter where the employee or an immediate family member of the employee has a direct or indirect interest that might reasonably be expected to impair the employee's objectivity or independence of judgment.

Direct interests include, but are not limited to, initial employment, retention, job classification, salary, performance appraisals and work assignments. Therefore, no employee shall directly supervise a member of his or her own family. It is the

intent of the University to avoid instances that could be influenced by the family relationship in hiring, performance evaluation, promotion, reclassification, discipline, grievance or dismissal processes.

VII. POST-EMPLOYMENT RESTRICTIONS

No University officer or employee, subsequent to the termination of his/her office or employment with the University, shall represent, appear for, negotiate on behalf of, or provide information not generally available to members of the public or services to, or agree to represent, appear for, negotiate on behalf of, or provide information not generally available to members of the public or services to, whether by himself/herself or through any partnership, firm or corporation in which he/she has an interest or through any partner, officer or employee thereof, any person or party other than the State in connection with any cause, proceeding, application or other matter with respect to which such University officer or employee shall have made any investigation, rendered any ruling, given any opinion, or been otherwise substantially and directly involved at any time during the course of his/her office or employment. Any person who willfully violates the provisions of this section is a disorderly person, and shall be subject to a fine not to exceed \$500 or imprisonment not to exceed six months, or both. Statutory authority for this section is N.J.S.A. 52:13D-17.

VIII. POLITICAL ACTIVITY PROHIBITIONS

No University employee shall directly or indirectly use or seek to use his/her authority or influence or his/her position to control or modify the political action of another person. No employee, during the hours of duty, shall engage in political activity; nor shall he/she at any other time participate in political activities which would impair his/her usefulness in the position in which he/she is employed. Each employee retains the right to vote as he/she chooses and to express his/her opinions on political subjects and candidates.

XI. VIOLATIONS AND SANCTIONS

Any employee who violates the Code of Ethics may be subject to sanctions in accordance with the Conflicts of Interest Law N.J.S.A. 52:13D-21. In addition, University employees who violate this Code of Ethics may be subject to disciplinary action by the University and the New Jersey Executive Commission on Ethical Standards. Discipline may include fines, suspension, removal, demotion or other disciplinary action consistent with University and Civil Service procedures.

All employees shall sign a receipt indicating the date the Code of Ethics was received, and acknowledge that he or she is responsible for reading the Code and is bound by it. Receipts shall be maintained in the employee'

To report a potential ethics violation

ATTACHMENT B
NEW JERSEY CITY UNIVERSITY
OUTSIDE ACTIVITY QUESTIONNAIRE

Name of Employee: _____
Mailing Address: _____

Department: _____ Division/Bureau: _____
Payroll Title: _____ Functional Title (if different) _____
Job Duties: _____
Telephone: _____ Building/Room: _____

1. Are you currently engaged in any business, trade, profession and/or part-time or full-time employment outside of or in addition to your employment at the University?
 Yes No If yes, please answer question 2.

2. Name of Outside Employer(s) or Business(es). Please indicate if you are in owner, partner or corporate officer. _____
Address: _____
Type of Business: _____
Describe responsibilities: _____

Outside Employment (please specify):
Work Days: _____ Work Hours: _____
Total Hours Per Week _____

Is your employment or business being performed for or with any other Department employee or official?
 Yes No If yes, explain. _____

3. Do you hold a license issued by a State agency that entitles you to engage in a particular business, profession, trade or occupation? Yes No
If yes: Type of license _____
When issued _____; Active or inactive _____

4. Do you currently hold or plan to hold outside voluntary position(s) which could, under certain circumstances present a possible conflict with your official duties?
 Yes No If yes, explain. _____

5. Are you an official in any professional organization? Yes No
If yes, explain _____

6. Are you serving in any public office, or considering appointment or election to any public office? Yes No

What is the type of elective/appointive position? _____
What are your duties? _____

Hours engaged in elective/appointive activity:
Per Day _____ Per Week _____ Per Month _____

7. Are any members of your immediate family employed by or, through partnership or corporate office, hold an interest in any firm performing any service for the State of New Jersey or directly or indirectly receiving funding from the State?
 Yes No

Family Relationship _____ Family Member's Name _____
Nature of employment _____
Duration: _____ permanent _____ temporary

8. Are any members of your immediate family employed by a New Jersey casino or an applicant of a N.J. Casino license? Yes No
Family Relationship _____ Family Member's Name _____
Casino Name _____

I certify that this questionnaire contains no willful misstatement of fact nor omission of material fact and that after it is submitted, any future activity subject to disclosure will be reported before I engage in such activity.

Signature of Employee _____
Date

Potential Conflict? Yes No If yes, explain. _____

 Approved Disapprove

Signature of Supervisor _____
Date

 Approved Disapprove

Signature **Disapprove** _____

