

GOVERNANCE & OPERATIONS

FILE CODE: GO/4118.13R

PERSONNEL
CONFLICT OF INTEREST

Implementation of Political Activity Policy

NJSBA is a local public employer and may set reasonable restrictions on employee political expression in order for NJSBA to carry out its legislatively created advocacy mission. NJSBA cannot endorse political candidates; when representing the NJSBA in public forums, employees are to refrain from endorsing or expressing support for or against any political candidate or a public issue, that is not representative of *NJSBA's Manual of Positions and Policies on Education*.

All staff are expected to abide by this policy and report any political activity conflict of interest or duties to the Director, Human Resources. In an instance when the staff member is not certain there is potential for the direct, ongoing conflict of interest or duties, s/he shall report same to the Director, Human Resources, who shall seek clarification from the Executive Director. The Director, Human Resources shall then provide that clarification in writing to the staff member.

Except in the instance when a staff member assumes an elected or appointed position in direct ongoing conflict with his/her position which cannot be cured by abstention, and ceases employment with the Association according to policy, all violations of this policy shall be dealt with in accordance with the Association Disciplinary Action policy file code GO/4117.

An employee whose position necessitates his/her advocacy on behalf of the Association is prohibited from, in her/his professional capacity, sponsoring, attending or contributing to any political party, campaign, office, or activity within the State of New Jersey. This prohibition includes, but is not limited to, attendance at fund raising activities and donation of money, services, and time to such activities as a representative of the NJSBA. Association positions covered by the above are, but not limited to: Executive Director, Governmental Relations, Communications and other staff as designated. Personal activity, conducted outside of employment is not intended to be restricted by this policy.

Employees may not display partisan or political literature, posters, buttons, political cartoons, etc., on their person or in their work space in NJSBA's facility. Definition of "facility" is set forth at GO/4118.23R. Additionally, NJSBA staff are prohibited from displaying partisan or political items on their person when representing NJSBA in public forums.

Issued: October 20, 1989

Revised: October 6, 2000
February, 2007
October, 2009
August 2017

See also: GO/4118.22 and 4118.22R
GO/4118.23 and 4118.23R

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Implementation of NJSBA Campaign Activities Policy

All staff are expected to abide by this policy and refrain from any involvement in any Association election activities. In any instance where a staff member's job responsibilities place him/her in a situation that could be interpreted as a conflict of interest under this policy, he/she should report same to the Executive Director.

All violations of this policy shall be dealt with in accordance with the Association Disciplinary Action policy file code GO/4117.

Issued: October 20, 1989

Revised: October 6, 2000
February, 2007

Gifts to Staff

NJSBA staff are prohibited from soliciting or accepting for themselves or on behalf of the Association, any gift which directly or indirectly benefits them. Gifts in excess of \$50.00 would be deemed a benefit to staff. This prohibition applies to gifts from any person or vendor having or seeking a business relationship with the Association or any employee or agent of such person or vendor. If offered a gift by a vendor, staff shall notify that vendor of this regulation, and shall promptly return any gifts in excess of \$50.00 received with an explanation of this regulation. The Association shall also annually notify all individuals and vendors it does business with of this regulation.

Staff shall also report any such offer and the action taken to their director and/or immediate supervisor as soon as practicable. These provisions shall not apply to gifts of minimal value from non-vendors intended to commemorate an event or program.

Employment Conflict

This regulation clarifies the employment conflict provision of GO Policy 4118.13, barring an officer/member of the Board of Directors or alternate from NJSBA employment for a period following the Executive Director's evaluation and contract recommendation:

Under this policy, an officer will be barred in the case of an actual conflict caused by their participation in this process or where there exists the public perception of a conflict. An officer will be considered to have participated in the evaluation, thus raising a conflict, if he/she were present at meetings at which the evaluation or performance of the Executive Director was discussed or provided formal or informal input regarding the evaluation in any stage of the process. Among the factors that shall contribute to the public perception that an officer participated in the process include, but are not limited to, his/her status as an active member of the executive committee during the time the evaluation is conducted.

Further, under this policy, a member of the Board of Directors or alternate will be barred in the case of an actual conflict caused by their participation in reviewing the Executive Director's evaluation and/or employment contract, irrespective of whether the member/alternate votes, or where there exists the public perception of a conflict. A member of the Board of Directors or alternate will be considered to have participated in the

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evaluation and contract review, thus raising a conflict, if he/she were present at meetings at which the evaluation and/or contract of the Executive Director was discussed or provided formal or informal input regarding the evaluation in any stage of the process. Among the factors that shall contribute to the public perception that a member of the Board of Directors or alternate participated in the process include, but are not limited to, his/her status as a member or alternate of the Board of Directors during the time the evaluation is conducted.

Issued: January 15, 1992

Revised: January, 2001
February, 2007
October, 2009
May 2011

Cross Filed: GO/1313R