This policy is hereby extended to include the hiring, evaluation and promotion of relatives (including spouses and former spouses) and also any individual currently or formerly engaged in a sexual, amorous or romantic relationship with the employee. Note that sexual relationships between employees and students whom they are teaching or supervising are already prohibited under the College’s Policy on Consensual Relationships.

OBLIGATIONS

An employee who becomes aware, at any time, of a possible conflict of interest involving himself or herself is obligated to do the following:

1. Disclose the potential conflict of interest to a supervisor (chair, dean, vice president, director, etc.).

2. Completely remove himself or herself from the relevant decisions or otherwise, in consultation with one’s supervisor, eliminate or manage the power (authority) differential involved.

Alternatively, in the case of self-disclosure, the employee also may submit a written request to the state ethics commission for an advisory opinion, as per Executive Law, Section 94(15).

A supervisor who has received a disclosure of a potential conflict of interest or who otherwise learns of a potential conflict of interest is obligated to do the following:

1. Inform the people he or she supervises about the conflict of interest policies and ensure that they are also informed of the related privacy, consensual relations and sexual harassment policies, as well as the policy on hiring, evaluating and promoting relatives and consensual partners.

2. Assist in eliminating and/or managing any conflict of interest. For example, the supervisor may recommend that a person completely remove himself or herself from making a purchasing or personnel decision, may change lines of authority or may change class registration.

3. Immediately obtain and complete a Conflict of Interest Disclosure Form (Attachment) and deliver it to the appropriate dean (academic employees) or the Director of Human Resources (professional and classified employees).

An employee who becomes aware, at any time, of a possible conflict of interest involving one or more other employees is encouraged but not obligated to report it. The employee may report it by completing a Disclosure Form and delivering as described above. This form may be submitted anonymously. For non-anonymous submissions, the identity of the person reporting the conflict will be kept confidential to the extent compatible with an adequate investigation.

It is a violation of this policy to retaliate against an individual who reports a potential or perceived conflict of interest. If an individual believes that retaliation has occurred or that he or she has been threatened, he or she should report it immediately to the appropriate dean (academic employees) or the Director of Human Resources (professional and classified employees). It is also a violation of this policy for an employee to file a Disclosure Form in bad faith or give a statement in bad faith.

Alternatively, in the case of a potential conflict of interest involving one or more other employees, the employee may make a sworn complaint to the state ethics commission alleging a violation of section 73 (Business or Professional Activities by State Officers and Employees and Party Officers), 73-a (Financial Disclosure), or 74 (Code of Ethics) of the Public Officers Law. The complaint mechanism is described in Executive Law, Section 94(12).