PERSONAL AND BUSINESS RELATIONSHIPS DISCLOSURE FORM

FREQUENTLY ASKED QUESTIONS

1. Who is required to file a Personal and Business Relationships Disclosure Form?

Any NJIT officer or employee who is involved in the procurement process at NJIT, or at a State agency other than NJIT.

The majority of NJIT officers and employees will only be required to disclose involvement in NJIT’s procurement process. However, there will be situations where NJIT officers and employees will be required to disclose their involvement in the procurement processes of more than one State agency. This will be necessary in the case of the Division of Purchase and Property employees because they are involved in the procurement process of most State agencies. This may also be the case for employees of the Department of Law and Public Safety who draft and/or review Requests for Proposals and/or contracts for other agencies.

2. What does involvement in the procurement process mean?

Involvement in the procurement process means drafting, reviewing, evaluating or making contract awards, substantively assisting in any of those tasks or authorizing payments under those contracts.

3. What types of relationships must I disclose?

You are required to disclose any interest in a firm, association, partnership, corporation or other business organization that has sought or been awarded a public contract with NJIT or any agency with which you have involvement in the procurement process.

You are also required to disclose any professional relationship with any person, firm, association, partnership, corporation or other business organization that has sought or been awarded a public contract with NJIT or any agency with which you have involvement in the procurement process.

You are also required to disclose any personal relationship with any principal officer or director of any firm, association, partnership, corporation or other business organization that has sought or been awarded a public contract with NJIT or any agency with which you have involvement in the procurement process.

4. What constitutes an “interest” for purposes of disclosure?

Interest means any ownership or control of any profits or assets of a business organization. You must disclose the name of the business organization and the nature of your interest (number of shares held, percentage ownership, etc.)

5. What constitutes a professional relationship for the purposes of disclosure?

Professional relationships include, but are not limited to, your lawyer, accountant, physician, landscaper, or plumber.

6. What constitutes a personal relationship for the purposes of disclosure?

Friends, family, neighbors you interact with regularly, work colleagues, classmates or members of professional and trade organizations who you see on a regular basis.

7. Does the form cover only current relationships?
No, you are required to disclose business, personal, or professional relationships for the period covering five years prior to the date of your statement.

8. How often must I file the form?

After your initial filing of the form, you must review it on an annual basis to ensure that it is correct and complete. You must complete a new form any time there is a material change to any response.

9. Who is responsible for reviewing the form?

It is the responsibility of the Ethics Liaison Officer (ELO) to review the form. The ELO is also responsible for providing periodic reports to the President and Senior Management.

10. Does the State Ethics Commission get a copy of the form?

Yes, copies of the form must be forwarded to the Commission by the ELO.

11. What should I do if I have a business, personal, or professional relationship with an entity or individual that is seeking to contract with the State?

You are required to contact the ELO immediately. You are required to recuse yourself from any involvement in the procurement process involving the entity or individual. Such recusal must be in writing.

12. How do I obtain a copy of the form?

You may contact the ELO at 973-642-4285, or electronically request the form from ethics@njit.edu, or download it from http://ethics.njit.edu.

13. When does the form need to be completed?

For 2009, the form must be completed and sent to the ELO no later than March 31, 2009.

14. Who do I contact with questions?

You may contact Jean E. Feeney, Ethics Liaison Officer, at 973-642-4285.

15. Where do I send the completed form?

The form can be sent via:
Hardcopy: Jean Feeney, ELO, Human Resources, 500 Fenster Hall, Newark, NJ, 07102
Facsimile: 973-642-4066

16. What happens if I do not complete a form?

This is a New Jersey State statute and there are no exceptions. Strict adherence to this regulation is essential. Failure to comply may result in personal penalties imposed upon the NJIT employee by the State Ethics Commission, and removal, suspension, demotion or other disciplinary action imposed upon the employee by the University.