

Bergen Community College
Board of Trustees
Section: HR

Policy #: HR 001-001.2015

Effective Date: July 7, 2015

Responsible Official:
Vice President of Human Resources
and Organizational Development

Employee Code of Professional Conduct

Bergen Community College (hereinafter the “College”) is a college that exists to foster inquiry and public disclosure and prides itself on a strong commitment to the highest ethical standards. The College is committed to providing a campus environment that is conducive to student success and academic inquiry. At the College, all employees are expected to abide by certain standards of conduct that form the basis of this Employee Code of Professional Conduct (hereinafter “Code”). It is the intent of the Code to protect academic freedom, to preserve the highest standard of teaching and scholarship, to create a collegiate environment for all employees and to advance the mission of the College as an institution of higher learning. These standards are derived from a set of core values that include *integrity, student success, academic and institutional excellence, lifelong learning, respect, accountability and innovation*. These principles apply to employee interactions with students, employers, coworkers, government and the general public.

Related Documents/Policies:

HR 008-001.2023 - Title IX Policy Covering Discrimination, Harassment, and Sexual Misconduct (For complaints of events that occurred prior to August 1, 2024.)

HR 003-002.2018 - Policy Prohibiting Sexual Harassment

HR 004.003.2018 – Policy Prohibiting Discrimination

Policy History: (adopted/amended)

Adopted: 09/09/2014 (Resolution: I-1)

Updated: 07/07/2015 ((Resolution: I-1)

Amended:

All policies are subject to amendment. Please refer to the College Policy website (<https://bergen.edu/about-us/college-policies/>) for the official, most recent version.

Section B: Personnel/Human Resources Policies
BD: Workplace Issues
BDF: **Employee Code of Professional Conduct**
Responsible Party: Director, Human Resources
Policy Effective Date: 9/9/2014
Updated: 7/7/2015

Bergen Community College (hereinafter the “College”) is a college that exists to foster inquiry and public disclosure and prides itself on a strong commitment to the highest ethical standards. The College is committed to providing a campus environment that is conducive to student success and academic inquiry. At the College, all employees are expected to abide by certain standards of conduct that form the basis of this Employee Code of Professional Conduct (hereinafter “Code”). It is the intent of the Code to protect academic freedom, to preserve the highest standard of teaching and scholarship, to create a collegiate environment for all employees and to advance the mission of the College as an institution of higher learning. These standards are derived from a set of core values that include *integrity, student success, academic and institutional excellence, lifelong learning, respect, accountability and innovation*. These principles apply to employee interactions with students, employers, coworkers, government and the general public.

Consistent with the College mission, commitments, and other policies, the purpose of this code is to set forth the College’s expectations for the professional conduct of its employees. This Code is intended to be consistent with and amplify existing College policies, rather than supplant any policy.

The Board of Trustees of the College has adopted, by appropriate resolution, the terms and provisions of the Code and, by the adoption of the Code, has empowered the College to enforce the terms and provisions hereof.

Employees are charged with the responsibility to read and to abide by the provisions of this Code. As previously set forth herein, each employee shall be given a copy of the Code on July 1st of

each current year. Each employee must certify that he/she has read and agrees to abide by the Code. When and if amendments to this Code are issued, the revised Code will be distributed to all employees and each employee must certify that he/she has read and agrees to abide by all amendments hereto. Employees of the College will also be provided notification that explains how they may access this Code on the College's website. The printed document is also available in the Department of Human Resources. Incident reports related to the Code of Conduct can be filed with the Department of Human Resources.

This Code applies to conduct that takes place on the College campus, at all College locations, at College-sponsored events, off-campus locations, and/or whenever and where ever the College conducts sanctioned college business. This Code also applies to members of the College community and staff who serve as a host of the College and who will be held accountable for the misconduct of their guests if proven that he/she, through action or negligence, encouraged the inappropriate behavior of guests, volunteers or attendees.

Policy Statement:

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

- Treat all staff, students, and visitors with respect, civility, and fairness.
- When in a supervisory role provide clear direction and timely feedback as well as constructive suggestions and opportunities for improvement or remediation when needed. Resolve conflicts and counsel colleagues and subordinates in a non-threatening, constructive and private manner.
- Work collaboratively with supervisors to achieve high standards established by the mission, vision, and values of the College.
- Meet professional responsibilities.

- Familiarize with and follow the College policies and procedures applicable to their work and require those reporting to them to do the same.
- Promptly address violations of institutional policies and cooperate with investigations and audits as called upon.
- Respect the privacy of all individuals and the confidentiality of information entrusted to them regarding individuals and the College.
- 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 and for legitimate College business.
- Refer all media inquiries to the Managing Director of Public Relations who will provide all statements on behalf of the College. The College has collaborative programming with institutions throughout the world and the public expects the information we provide to be accurate. It is critical that information provided to the public be consistent and accurate, complete, and that confidential information be protected. Unless you are an authorized spokesperson for the College, you are requested not to speak on behalf of the College.

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

- Behavior that is disrespectful of others and unprofessional interpersonal behavior that interferes with the working and learning environment.
- Use of the position or powers of employment to coerce a student or other employee, to secure unwarranted privileges or advantages for himself or herself, to cause harm to a student/employee, or to 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, writing letters of recommendation for the student, etc.). 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.

- Misrepresenting personal views as a statement of position of the College or any of its departments.
- Disruptive conduct which includes, but is not limited to, but reasonably related to violence committed against any member or guest of the College; 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.
- Conduct that demonstrates a lapse of integrity which includes, but is not limited to, but reasonably related to intentionally furnishing false written or oral information to the College about an employee, student, or about the College; destroying or misusing any official College document, record and/or file before they are legally set to be destroyed; misusing or the unauthorized use of the College's organizational names and/or images; making, affecting, or recommending employment decisions regarding an immediate family member; intentionally failing to notify the College of any irregularity or overpayment in any salary, compensation or benefit payment; committing serious violations of College policies governing the professional conduct of employees including, but not limited to, policies applying to research, outside activities, conflicts of commitment, clinical practices, violence in the workplace and whistleblower protections; breaching established rules governing

confidentiality in personnel procedures; performing services for students outside those consistent with the College's mission of providing higher education and career training programs so as to gain favor or unfair advantage.

- Conduct Detrimental to the College Community which includes, but is not limited to, but reasonably related to intentionally causing damage to the College's property or the property of another; intentionally misusing access privileges to College premises or the unauthorized entry to or use of buildings including, but not limited to trespass; intentional and unauthorized taking of property of the College or personal property of a member of the College community; using without authority College resources (including, but in no way limited to, office supplies, office furniture, fax machines, computers, printers, copiers, software, hardware, internet services, email systems, postage, supplies and equipment) or facilities for personal, commercial, political or religious purposes; obtaining a personal financial benefit in any sale or loan of College property.
- Conduct Demonstrating a Lack of Civility. Such conduct includes, but is not limited to, but reasonably related to:
 - Assault or attempted assault which may include physical abuse or injury of an individual;
 - Threat, verbal assault or abuse, intimidation, coercion, or physical obstruction of any individual;
 - Stalking, which is defined as repetitive, menacing pursuit, following, harassment and/or interference with the peace and/or safety of a member of the College community, or the safety of an immediate family member of the College community, with the intent of annoying or alarming that person or placing that person in reasonable fear for his/her safety;

- Inappropriate conduct which is disorderly, disruptive, or indecent while on College grounds or premises or at functions sponsored by, or participated in by, the College;
- Violation of any College policy, rule, or regulation published in hard copy or available electronically on the College website;
- The College will maintain zero-tolerance towards 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 or physical act, or any electronic communication that targets another individual and that takes place on or with 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 or undermine, or which create a risk to the health or safety of employee(s); and which may include, but is not limited to:
 - Unwarranted or invalid criticism;
 - Blame without factual justification;
 - Treatment of an employee that is different than the rest of the employee's workgroup; or
 - Shouting at or humiliating an employee or fellow worker;
 - Lewd or obscene conduct;
 - Possession, viewing, or the distribution of obscene or pornographic material; and
 - Possession, viewing or the distribution of any obscene materials, as defined by the standards of the College community.
- Reckless or irresponsible behavior that would otherwise result in a violation of this Code.

Definitions:

- ***Administration or Staff*** - any person who currently holds a non-faculty appointment within the College.
- ***College*** – Bergen Community College and all of its locations, divisions and programs.
- ***College grounds or premises*** - buildings or grounds, used, owned, leased, operated, controlled or supervised by the College.
- ***College sponsored activity*** - any academic, athletic, co-curricular, extra-curricular or other activity on-campus, at all College locations, or off-campus, which is initiated, aided, authorized or supervised by the College.
- ***Complainant*** - the initiator of the complaint alleging an act or misconduct which may constitute a violation of this Code.
- ***Employee/Member of the College Community*** – all persons employed by the College including, but not limited to, faculty, administration, staff, and students.
- ***Faculty*** - any person who holds a current academic appointment within the College.
- ***Fraud*** – false representation of fact such as intentional misrepresentation and knowledge of hours worked or falsifying of an employee timesheet.
- ***Immediate Family Member*** – the spouse, civil union partner, domestic partner, or the parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister of an employee or of an employee’s spouse, civil union partner or domestic partner, whether related to the employee through blood, marriage or adoption.
- ***Student*** - all persons taking courses at the College, including full-time, part-time and non-degree pursuing undergraduates, professional studies, and/or continuing education. This Code is in effect without regard to the physical location of the course and includes distance learning and online classes. Persons who are not officially enrolled for a particular term, but who have a continuing relationship with the College are considered students.
- ***Student Worker*** – An enrolled BCC student who works part-time in one of the college offices or programs under the supervision of a BCC staff member.
- ***Member of the Greater Community*** – any guest, visitor or volunteer to the College or an attendee at an event/activity who is not employed by the College.

- **Victim** - a member of the College community who alleges that he/she has suffered personal physical and/or emotional harm or injury as a result of an alleged violation(s) of this Code.

COMPLIANCE WITH THE CODE

All College employees must be familiar with the content of this Code and adhere to its guidelines. If questions arise, please contact the Department of Human Resources.

Section B: BD: BDF
Adopted: 9/9/2014
Resolution: #I-1
Updated: 7/7/2015 #I-1
Amended:

ADMINISTRATIVE GUIDELINES, REGULATIONS AND PROCEDURES

Code of Professional Conduct

REPORTING ACTUAL OR SUSPECTED VIOLATIONS OF THE CODE

Actual or suspected violations of this Code should be reported to the Department of Human Resources or the Office of Public Safety (L-154). Employees will not be retaliated against or subject to any form of reprisal for raising a good faith concern under this Code or participating in an investigation into any such concern. Retaliation is a serious violation of this Code and should be reported immediately.

All inquiries, complaints, and reports will be promptly investigated within thirty (30) calendar days of report to the Department of Human Resources or the Office of Public Safety (L-154). Employees are expected to 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 participated in the investigation. If you are unsure whether a violation has occurred, the College encourages you to seek advice from the Department of Human Resources or the Office of Public Safety (L-154).

SPECIAL PROVISIONS

- ***Attempted Violations:*** in most circumstances, the College will treat attempts to commit any of the violations listed in this Code as if those attempts had been completed;
- ***College as Complainant:*** the College reserves the right to initiate a complaint, to serve as complainant, or to initiate conduct proceedings without a formal complaint by the victim of misconduct;
- ***False Reports:*** the College will not tolerate intentional false reporting of incidents. It is a violation of this Code to make an intentionally false report of any policy violation. Such false reporting may also violate applicable criminal statutes and civil defamation laws;

- ***Group Violations:*** When members of groups, individuals acting collusively, or members of an organization act in concert in violation of any policy, they may be held accountable individually or as a group, or both, and an Administrative Hearing may proceed against the group as joint Accused Employees or against them individually. In any such action, however, determinations will be made with respect to the involvement of each accused individual;
- ***Amnesty for Victims:*** the College encourages the reporting of crimes and violations of this Code by victims. Sometimes, victims are hesitant to report to College officials because they fear that they may be accused of policy violations. It is in the best interest of this community that as many victims as possible choose to report to the Department of Human Resources or the Office of Public Safety (L-154). To encourage reporting, the College pursues a policy of offering victims of severe conduct offenses amnesty from policy violations related to the incident.

REMEDIES AND SANCTIONS

Violations of this Code of Conduct shall be cause for removal, suspension, demotion, or other appropriate disciplinary action by the College Board of Trustees.