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Business Ethics Guide

This Guide is designed to introduce private sector entities transacting, or seeking to transact, business with the State to the ethics standards applicable to both themselves and Executive Branch employees to ensure a level playing field for all procurement transactions. All Bidders submitting proposals in response to a solicitation will be required to certify that they have complied, and will continue to comply, with all applicable laws and regulations governing the provision of State goods and services, including the New Jersey Conflicts of Interest Law, [N.J.S.A. 52:13D-12 to 28](#). This Guide was revised in July 2016.

View the [State of NJ Business Ethics Guide](#) 

Policy Prohibiting Discrimination In The Workplace

The State of New Jersey's Policy Prohibiting Discrimination in the Workplace is provided here for all bidders, vendors, and State contractors. It is the State's expectation that all State employees will be treated according to this policy, and that all State employees will treat bidders (including potential bidders), vendors and contractors personnel in accordance with this policy. At the end of the policy, the procedures are included for anyone, who feels the State Policy has been violated, to file a complaint alleging the occurrence of discrimination in the workplace.

View the [New Jersey State Policy Prohibiting Discrimination In The Workplace policy](#) 

Gratuities To State Employees Prohibited

State statute ([N.J.S.A. 52:34-19](#)) stipulates that absolutely no fees, compensation, commissions, gifts, favors, or entertainment of any kind may be offered to or accepted by any State employee in the Department of the Treasury or in any agency connected directly or indirectly with the purchase or acquisition of commodities or services.

This State statute is intended to prevent a conflict of interest or the appearance of a conflict. The consequences of violation of the statute can be severe. Disciplinary action and/or dismissal may result for the employee, and debarment or suspension from future contract opportunities as well as cancellation of any open contract or purchase order may result for the vendor.

Standards Prohibiting Conflicts of Interest

The following prohibitions on vendor activities apply to all contracts or purchase agreements made with the State of New Jersey.

- A. No vendor shall pay, offer to pay, or agree to pay, either directly or indirectly, any fee, commission, compensation, gift, gratuity, or other thing of value of any kind to any State officer or employee or special State officer or employee, as defined by [N.J.S.A. 52:13D-13b](#), and e., in the Department of the Treasury or any other agency with which such vendor transacts or offers or proposes to transact business, or to any member of the immediate family, as defined by [N.J.S.A. 52:13D-13i](#), of any such officer or employee, or any partnership, firm or corporation with which they are employed or associated, or in which such officer or employee has an interest within the meaning of [N.J.S.A. 52:13D-13g](#).
- B. The solicitation of any fee, commission, compensation, gift, gratuity or other thing of value by any State officer or employee or special State officer or employee from any State vendor shall be reported in writing forthwith by the vendor to the Attorney General and the Executive Commission on Ethical Standards.
- C. No vendor may, directly or indirectly, undertake any private business, commercial or entrepreneurial relationship with, whether or not pursuant to employment, contract or other agreement, express or implied, or sell any interest in such vendor to, any State officer or employee or special State officer or employee having any duties or responsibilities in connection with the purchase, acquisition or sale of any property or services by or to any State agency or any instrumentality thereof, or with any person, firm or entity with which he is employed or associated or in which he has an interest within the meaning of [N.J.S.A. 52:13D-13g](#). Any relationships subject to this

provision shall be reported in writing forthwith to the Executive Commission on Ethical Standards, which may grant a waiver of this restriction upon application of the State officer or employee or special State officer or employee upon finding that the present or proposed relationship does not present the potential, actuality or appearance of a conflict of interest.

D. No vendor shall influence, or attempt to influence or cause to be influenced, any State officer or employee or special State officer or employee in his official capacity in any manner which might tend to impair the objectivity or independence of judgment of said officer or employee.

E. No vendor shall cause or influence, or attempt to cause or influence, any State officer or employee or special State officer or employee to use, or attempt to use, official position to secure unwarranted privileges advantages for the vendor or any other person.

The provisions cited above in paragraph a. through e. shall not be construed to prohibit a State officer or employee or special State officer or employee from receiving gifts from vendors under the same terms and conditions as are offered or made available to members of the general public, subject to any guidelines the Executive Commission on Ethical Standards may promulgate under paragraph (c) above.

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