

DEPARTMENT OF HUMAN SERVICES

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**EFFECTIVE DATE:** March 11, 2016

**ISSUE DATE:** March 18, 2016

**SUBJECT: DEPARTMENT OF HUMAN SERVICES' CODE OF ETHICS**

**I. PURPOSE**

This Administrative Order sets forth the Department of Human Services' Code of Ethics. This Code is intended to supplement the Uniform Ethics Code ("UEC") adopted by the New Jersey State Ethics Commission which establishes the general standards and requirements of conduct necessary for all State officers and employees. The Department of Human Services' Code establishes additional rules of conduct which are needed for the proper and efficient operation of the Department. The rules and restrictions contained in both the Uniform Ethics Code and the Department of Human Services' Code of Ethics apply to all Department officers and employees and Special State officers and employees, whether compensated or not compensated.

**II. SCOPE**

This Order has Department-wide applicability including, but not limited to, Department officers and employees and Special State officers.

**III. AUTHORITY**

N. J.S.A. 52:130-12 et seq. (New Jersey Conflict of Interest Law)  
N.J.A.C. 19:61-1.1 et seq.  
New Jersey Uniform Ethics Code

**IV. DEFINITIONS**

As used in this Order, and unless a different meaning clearly appears from the context, the following terms shall have the following meanings.

**Cohabitant** means a non-related person who shares a household under circumstances where there is financial interdependence.

**Department officer or employee** means any person, other than a Special Department officer or employee, holding an office or employment in the Department.

**Ethics Liaison Officer** means the individual(s) designated by the agency division heads to assist the State Ethics Commission in implementing and enforcing the Conflicts Law and related ethics codes.

**Relative** means an individual's spouse or domestic partner or the individual's or spouse's or domestic partner's 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, whether the relative is related to the individual or the individual's spouse by blood, marriage or adoption.

## V. **POLICY**

The primary obligation of any Department officer or employee is to the Department and the individuals it serves.

A. The Commissioner, Deputy Commissioner(s), Assistant Commissioner(s), Division Director(s), Deputy Division Director(s), or Assistant Division Director(s) and any person acting in similar capacities are prohibited from having a contractual or business relationship with any DHS employee or Special State officer.

### B. Family Members/Cohabitants

1. All Department employees who are supervisors or exercise authority regarding personnel actions shall complete the Certification Regarding Supervisory Conflicts of Interest in accordance with procedures established by the Department. They shall provide such additional information as may be necessary to determine whether the employee is in compliance with the prohibitions set forth in Section XIII of the UEC relating to the supervision or exercise of any authority with regard to personnel actions over a relative, a cohabitant, or a person with whom the employee has a dating relationship. The Certification shall be reviewed by the Ethics Liaison Officer to determine whether a supervisory conflict exists.

2. Department employees are required to notify Department management if any relative, cohabitant, or person with whom the employee has a dating relationship, is employed by a contractor, consultant, vendor, or any other company or firm doing business with the Department.

3. Department employees are required to notify the Ethics Liaison Officer of any relative or cohabitant who is employed by any agency or firm that performs any service for the State of New Jersey, or who is employed by DHS.

C. Outside Activity and Employment

1. Prior to being undertaken, Department employees and Special State officers shall disclose, in writing, outside activity or employment, regardless of whether such activity or employment is compensated (e.g. Part-time job, business venture, volunteer activities, and board memberships). Such disclosure shall be on the DHS' Outside Activity Questionnaire for employees and Outside Employment Questionnaire for Special State Officers and Special State Employees. Once approved, the hours of any outside activity or employment may not conflict or coincide with work hours needed for the Department employee's discharge of official duties, nor in any way interfere with the performance of those duties.
2. No Department employee shall have a professional therapeutic relationship with any known client of the Department, regardless of whether such relationship is compensated or uncompensated.
3. No Department employee may solicit, establish or participate in a business, contractual or professional relationship with any client of the department.
4. No Department employee shall serve in a consultant relationship to any public agency, nor see patients or clients for a fee when such fee is provided by or paid from New Jersey public funds, except upon submission of an Outside Activity Questionnaire and approval by the Ethics Liaison Officer.
5. Department employees must disclose any outside employment or business that they engage in with other Department employees.
6. Department employees must submit an Outside Activity Questionnaire when they begin working for DHS, and at least every three years thereafter. Department employees must also submit an updated Outside Activity Questionnaire when there is a change in the employee's outside activity or State employment, or when directed to do so by management. If the employee is a nursing or direct care worker at a State psychiatric hospital, then the Outside Activity Questionnaire must be submitted no less than once annually and when there is a change in outside employment.

D. Political Activities

1. No Department officer or employee shall directly or indirectly use or seek to use his or her authority or influence of his or her position to control or modify the political action of another person.
2. If an employee is planning to run for public office of any kind, partisan or non-partisan, serve as a campaign Treasurer or other officer position in a political campaign or hold any officer position in a political organization, then he or she must notify the Ethics Liaison Officer either by email or in person. The Ethics Liaison Officer shall not require the employee to identify the political party or affiliation for any of the above positions.

VI. **PROCEDURAL HISTORY**

This Administrative Order revises and replaces Administrative Order 4:05 which was effective on February 13, 2007 and issued on February 14, 2007 and Administrative Order 4:06 which was issued on November 1, 1977 and revised July 1, 2002.



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Elizabeth Connolly  
Acting Commissioner