NJIT Post-Employment Restrictions

Post-Employment

Former NJIT officers or employees or special NJIT officers or employees are prohibited from representing, appearing for, negotiating on behalf of, providing information or services not generally available to the public or agreeing to perform any of those activities for any party, other than the State, in connection with those causes, proceedings, applications or other matters in which the officer or employee had made any investigation, rendered any ruling, given any opinion or been otherwise substantially and directly involved while in State employment. There is no time limit on this prohibition. In certain situations it may be difficult to determine whether a former officer or employee or special officer or employee was "substantially and directly involved" in a certain matter or whether such officer or employee had merely been technically or formally involved. In considering whether there was substantial and direct involvement in a matter, such factors as whether the individual had supervisory responsibility, provided input, submitted reports, signed contracts on behalf of the agency, attended meetings, approved applications, had access to confidential information, or was directly involved in decision-making must be taken into consideration.

Whether a cause, proceeding, application or other matter at issue in a post-employment question is categorized as specific or general is a determination that will be made by the State Ethics Commission on a case-by-case basis. Questions about the nature of matters with which employees had involvement during the course of their official duties should be directed to the State Ethics Commission, P.O. Box 082, Trenton, New Jersey, 08625-0082.

The post-employment restrictions extend to former NJIT officers or employees and special State NJIT officers or employees personally and to any employees or officers of any professional service corporation with which the officer or employee employed or associated or is a shareholder.

In addition, the restriction also extends to those employees or officers of partnerships, firms or corporations in which the former NJIT officer or employee or special NJIT officer or employee has more than 10% ownership or control.

Post-Employment Penalty

Any former NJIT officer or employee or former special NJIT officer or employee found by the State Ethics Commission to have violated any of the provisions of this section shall be assessed a civil penalty of not less than $500 nor more than $10,000. In addition, the fine for a violation of this section that is punishable as a disorderly person’s offense was increased from $500 to $1,000.