

## **ELO Guidance on Post-Employment Restrictions**

Any NJIT employees separating from NJIT or considering other employment should be aware of the post-employment restrictions placed upon them by the [State's Conflicts of Interest Law](#) and the **Uniform Ethics Code**. NJIT employees are not permitted to solicit employment from interested parties with whom they have direct and substantial contact. Employees interested in seeking employment with interested parties they have contact with in the course of their job must notify their supervisor and the Ethics Liaison Officer (ELO) prior to commencing any employment discussions and will be required to recuse themselves from any contact with the prospective employer while employment discussions are ongoing.

NJIT officers/employees who have left university employment are permanently restricted from representing, appearing for or negotiating on behalf of any employer other than NJIT on any matter in which they gave an opinion, performed an investigation or were otherwise substantially and directly involved at any time during their NJIT employment. Consequently, and with only limited exception, former NJIT employees/officers must refrain in any new job from working on any projects that they were involved in while employed with NJIT. Generally, however, there are no restrictions placed upon former employees from working for parties other than NJIT, on new projects that have arisen since they left NJIT.

In certain situations, it may be difficult to determine whether a former officer/employee was "substantially and directly involved" in a certain matter or whether such officer/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. 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](#) to be reviewed on a case-by-case basis.

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

It is recommended that you contact Christine Li, Ethics Liaison Officer (ELO) prior to leaving NJIT employment to discuss any potential post-employment restrictions.