



# Employee Code of Ethical Conduct

Policy HR002

Volume 9: Human Resources

Responsible Administrator: Vice President for Human Resource Management and Labor Relations

Responsible Office: Human Resource Management and Labor Relations

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## Policy Statement

As employees of the Fashion Institute of Technology (“FIT” or the “college”) administrators, faculty members, staff members, and student workers (“employees”) are responsible for conducting themselves with the highest ethical standards. The quality of the college’s reputation requires that persons representing the college conduct themselves in a manner that advances and does not diminish the values of the college. Each employee is responsible for upholding standards of behavior consistent with this policy and for compliance with applicable laws and regulations.

This Code of Ethical Conduct (“Code”) cannot anticipate every possible situation. It does, however, provide examples to guide employees in their daily decisions and actions. The Code is not a substitute for the active process of ethical decision-making. In instances of ethical demands or dilemmas where a simple or direct application of this Code is not possible, employees should seek clarification and assistance from the Vice President of Human Resource Management and Labor Relations or their designee(s).

## Reason for the Policy

This policy establishes expectations under which FIT employees should conduct their college activities and provides guiding principles regarding the conduct expected of all college employees. FIT employees have a duty to conduct themselves with fairness, honesty, professional integrity, respect, and trust, and to comply with all local, state, and federal laws, SUNY regulations and procedures, FIT Board policies, and other FIT policies.

## Who is Responsible for this Policy

- Human Resource Management and Labor Relations
- Senior Administrators

## Who is Affected by this Policy

- All FIT Employees

## Definitions

- **Bullying:** Bullying includes aggressive or hostile acts of an individual or group of individuals, which are intended to humiliate, mentally or physically injure, or intimidate, and/or control another individual or group of individuals. It can include, but is not limited to, physical bullying, verbal/written bullying, nonverbal bullying, and cyberbullying.
- **Conflict of Interest:** The opportunity to advance one's own interest, or the interests of others with whom one has a relationship, in a way harmful or potentially harmful, to the interest of the college. Conflicts of interest occur when personal interests may compromise, or appear to compromise, our judgement, decisions, or actions in the workplace, or harm the interest or reputation of the college, or prevent (either in actuality or appearance) an employee's ability to perform their job duties.
- **Conflict of Commitment:** Involves a situation in which an employee engages in an outside professional activity, paid or unpaid, that involves a commitment of time that may interfere or appear to interfere, with fulfillment of the employee's obligations to the college, even if the outside activity may be valuable to the college or contributes to the employee's professional development.
- **Relative:** Any person who is a direct descendant of that individual's parent or grandparent or the spouse of such descendant.

## Principles

- **Ethical Behavior**

FIT employees are expected to become familiar with this Code, understand its application to their position, and adhere to its principles. Annual Ethics training on this policy, including acknowledgment of the Employee Handbook, shall be required of all FIT employees.

Employees should also be familiar with other sources of information that will assist them in making informed decisions, including but not limited to other college policies and the Employee Manual. It is an ongoing responsibility for employees to disclose potential or actual conflicts of interest or violations of the Code.

The college values fairness, honesty, professional integrity, respect, and trust. It strives to integrate these values into its teaching, scholarship, business practices, and daily interactions among all members of the college community.

- **Fairness**

FIT employees will be fair and just in their decisions and actions, and carefully weigh circumstances and variables linked with any decisions. Employees must be consistent and equitable in the application of rules, hiring/promoting, evaluations, workloads, discipline, and support. Conflicts of interest or commitment shall be avoided. Power inherent in positions of authority shall not be exploited, and official position shall not be used to secure privileges or advantages.

- **Honesty**

Dishonesty will not be tolerated.

- FIT employees will maintain a safe educational and working environment and provide honest commentary about the operation and management of the college. This includes truthfulness about other employees, the establishment and maintenance of internal controls, and distinctions between official and private actions.
    - Every member of the college community is responsible, within the scope of their work, for the integrity and accuracy of the college's documents and records. No one may knowingly falsify or improperly alter information on any institutional record or document.
    - Reports of violations to this, or any law or other college policy, must be made in good faith.
  - **Professional Integrity**  
FIT employees will demonstrate professional integrity and exemplary behavior.
    - FIT employees are expected to obey the law and follow college policies and procedures.
    - The Mission Statement of the college shall be understood and supported, professional autonomy of fellow employees shall be respected, and professional best practices shall be followed.
    - FIT employees must respect individuals' right to privacy and treat as confidential all information supplied to them on that basis. FIT prohibits disclosure from official college records to anyone outside of the college unless an employee is authorized to do so.
    - All levels of management and supervisors are responsible for establishing and maintaining proper internal controls that provide security and accountability for the resources entrusted to each department, unit, or subdivision, and be alert for any indications of improper activities, misappropriation, or dishonest activity.
  - **Respect**  
FIT employees will demonstrate high regard for the rights and opinions of others to establish and maintain a climate of mutual respect, to protect the rights and freedoms of others, and to operate discreetly when dealing with confidential matters. FIT employees will observe collegiality and civility in all activities.
- **Bullying**  
Bullying is *strictly prohibited* on any college property; at any college function, event, or activity; on any electronic technology, regardless of whether such use occurs on college property. Bullying can foster a climate of fear and disrespect which seriously impairs the physical and psychological health of its victims and negatively affects the learning and working environment.
- **Conflicts of Interest**  
All college employees must disclose any potential or actual conflicts of interest in the workplace in advance of initiating such an activity or when the employee, in the exercise of reasonable diligence, first becomes aware of the conflict or the potential for conflict. The existence of a conflict of interest is not always clear-cut. College employees are expected to make a reasonable effort to determine whether their activities create or appear to create such conflicts. If there is any uncertainty, employees should consult the Director of Employee and Labor Relations.

- **Gifts and Gratuities**

An employee shall not, directly, or indirectly, accept or receive money or any other gift having more than nominal value (generally considered \$75 dollars or less) if it can be inferred that the gift was intended as a reward for any official action on the employee's part that conflicts with their loyalty to the College.

It is the responsibility of the employee to report the offer and/or receipt of gifts and gratuities prohibited by this policy to the employee's department head or their respective vice president or the President.

- **Nepotism**

Employees of the college may not hire, supervise, manage, promote, evaluate, set conditions of employment for, or participate in any other activity affecting the employment of a relative. A supervisor or manager includes anyone having the authority to make decisions, assign work, or give orders to subordinates within an organizational unit. This also includes research projects and grants of all types, including those not funded by FIT funds, such as a SUNY-sponsored grant. Bargaining employees may also see the Collective Bargaining Agreement, 23.0 Nepotism, for additional information.

- **Romantic and/or Sexual Relationships Between Employees/Students**

Romantic and/or sexual relationships between employees and students are prohibited. An instructor who is currently instructing, evaluating, supervising (directly or indirectly) a student's academic work may not propose or enter into a romantic and/or sexual relationship with the student. Moreover, an instructor who has a pre-existing romantic/sexual relationship with a student is prohibited from instructing, evaluating, supervising (directly or indirectly) their partner's academic work or participation in a college program.

Romantic and/or sexual relationships in other contexts, between faculty members, faculty and staff, or staff members, where one person has direct authority over the other may also be problematic as they could affect decision making or influence other significant aspects of employment.<sup>1</sup> As such, these relationships are strongly discouraged.

All employees and applicants will be required to disclose to the Office of Human Resource Management and Labor Relations the identity of any relatives(s) employed or who become employed by the college, and any relationship where one of the relationship's participants has direct authority over another participant.

- **Employment and Evaluative Relationships**

College employees may not participate in the selection, supervision, evaluation, or discipline of a student or employee with whom the individual has a relationship.

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<sup>1</sup> Students serving as Resident Assistants or Health and Wellness Peer Educators are discouraged from engaging in romantic and/or sexual relationships with other students with whom they have a mentoring/advising relationship. Student leaders should speak with their supervisor with questions regarding this expectation.

Further, a faculty member may not pursue a degree at FIT in the same program in which they teach.

Faculty may not instruct a family member in a credit or non-credit course, supervise their academic research or writing, or share involvement in any formal evaluation of a family member in an academic context including, but not limited to, admissions decisions, grading, or awards, except as stipulated in this policy.

In instances when an employee must enroll in a course administered by a family member, the employee must inform the Department Chairperson, and obtain prior approval from the Vice President for Academic Affairs or their designee. Approval will be granted only in cases where:

- It is verifiable that no other course will meet their academic needs; and
- The Department Chairperson submits a plan for coursework evaluation that is detached from the FIT faculty member, to the Vice President for Academic Affairs or their designee.

- **Conflicts of Commitment**

No employee shall engage in a Conflict of Commitment as defined by this policy. This may include, but is not limited to, outside professional activities (whether paid or unpaid) that take place during the employee's work hours, academic initiatives such as pursuing coursework, or external activities that require a substantial commitment of time or compromises, or has the appearance of compromising, an employee's professional judgement or the performance of their job duties.

- **Personal Use of College Equipment/Property/Resources**

Employees are responsible for the appropriate use of college equipment, facilities, and all other college assets. Employees will safeguard college time and property from inappropriate use, appropriation, or abuse.

College resources are intended to be used for college business purposes. Personal use of resources should be incidental and reasonable. The use of college resources for personal gain or advantage, or for the benefit or gain of any other individual or outside entity (including organizations in which you have a vested interest), is strictly prohibited.

Personal use of college resources such as campus spaces, supplies, equipment, computers or other devices, and information technology resources is not a right, and:

- must comply with college policies;
- must not incur any additional expense to the college;
- must not interfere with an employee's obligation to carry out college duties in a timely and effective manner;
- must cease upon request of administration;
- must in no way undermine official college business;
- must not involve activities that are unlawful or inappropriate; and
- must not be used in a way that appears to imply college sponsorship of personal ventures.

The college is not responsible for damage, loss, injury, theft, or other harm to employees and/or their personal property in connection with their personal use of college resources.

Employees should take added precaution if using technology resources or the FIT network to ensure it does not create security risks and is otherwise in compliance with this and all other applicable FIT policies. Employees are not guaranteed privacy when conducting any personal activities via FIT technology resources. Please see FIT's policies for [Email](#), [Information Security](#), and [Acceptable Use for FIT IT System](#) for more information.

Employees are expected to exercise reasonable precautions to prevent theft, loss of, or damage to, FIT equipment and other property. An employee assigned any FIT equipment and other property must report lost, damaged, or stolen property to their supervisor immediately pursuant to this, and FIT's [Inventory Controls](#), policy.

- **Obligation to Report Arrests**

All employees are responsible for notification to the college within seven (7) days or as soon as is reasonably possible, of arrests, convictions, and dispositions, irrespective of the jurisdiction in which they occur, if it is:

- a felony;
- a misdemeanor involving violence and /or theft;
- an offense requiring one to register as a sex offender; and/or
- job related (e.g., a DUI if driving or operating machinery is a job requirement).

- **Whistleblower Protection**

- **Prohibition on Retaliation**

Individuals who make good faith reports of activity suspected of being illegal, fraudulent, or in violation of this or any other FIT policy, will not be subject to any form of retaliation, intimidation, harassment, or adverse employment action by the college. The college will not tolerate retaliation against any individual who reports acts of discrimination or harassment or participates in an investigation of such reports.

- **Confidentiality**

The college will take reasonable measures to keep the subject matter of the report, and the identity of the reporter, confidential, subject to the need to conduct an appropriate investigation, afford fair process to accused individuals, and resolve actual violations.

Employees who wish to report anonymously may do so. However, full anonymity may not be possible in all circumstances.

## Responsibilities

- **Director of Employee and Labor Relations:**

The Director of Employee and Labor Relations is responsible for performing any initial investigation in consultation with appropriate stakeholders.

- **Vice President for Human Resource Management and Labor Relations:**

The Vice President for Human Resource Management and Labor Relations will recommend appropriate disciplinary action where needed. (See Violations section, "Disciplinary Action.")

## Procedures

- **Reporting Suspected Violation of Ethical Code of Conduct<sup>2</sup>**

Employees are responsible for disclosing potential or actual violations of this Code, as well as for reporting retaliation. Reports will be treated as confidential to the greatest extent possible.

Confidentiality may be limited by legal or other requirements.

Reports of potential or actual violations of the Code can be made in the following ways:

- Submit a report via the [HR Solution Center](#). Upon review Human Resources will contact the complainant for additional information and discussion.
- Call the Office of Human Resource Management and Labor Relations (212) 217-3650. Your inquiry/concern will be directed to the appropriate party.

- **Response to Reports**

When a report is received, Human Resources will consult with appropriate offices and will conduct a timely investigation to determine whether further action is warranted.

The college is committed to timely resolution of reports; employees must cooperate fully, and in a forthcoming, timely, and truthful manner with investigations. Employees who are members of the bargaining unit may request a union representative to be present at all times during any meetings they are required to attend.

Investigations will provide fair processes for those facing accusations of violations, which will include notification of allegations and opportunity for response. General Counsel will assist the investigating office in determining whether external expertise is appropriate.

Upon completion of an investigation, the investigating office will communicate its findings and conclusions to the responsible senior leadership.

- **Good Faith Reports**

Reports of actual or potential violations of this Code that are made with an honest belief in the truth of the allegations are considered made in good faith. The allegations contained in the disclosure do not have to ultimately be proven true to demonstrate good faith. Reports found to not have been made in good faith may result in disciplinary action against the complainant.

- **Non-Retaliation**

Employees who report potential or actual violations, or participate in any investigation, will not be discharged, demoted, suspended, threatened, harassed, discriminated against, bullied, or endure any other retaliation, because of making a good faith report or for participating in any investigation.

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<sup>2</sup> Reporting Suspected Violation of Ethical Code of Conduct” refers to conduct specifically addressed within this policy. Reporting of discriminatory harassment and/or sexual misconduct must be directed to the Affirmative Action Officer in accordance with FIT’s [Nondiscrimination and Anti-Harassment](#), and [Sexual Misconduct Response](#) policies. Reports of potential or actual violations of *other* college policies should be made in accordance with the procedures contained in those policies. Where the subject-specific policy lacks explicit reporting procedures, or where the conduct goes beyond what can be appropriately addressed under an applicable policy, contact the Vice President of Human Resource Management and Labor Relations or their designee(s).

## Violations

- **Failure to Comply**  
Employees who fail and/or refuse to comply with any requirement set forth in this Code, or law or other college policy, may be subject to discipline, up to and including termination, as well as civil and/or criminal penalties.
- **False Complaints**  
Members of the FIT community who are found to have *knowingly* made false reports will be subject to disciplinary action.
- **Investigation Integrity**  
Reprisal against, or interference with, an employee's right to file a complaint or participate in an investigation and/or lawful proceeding constitutes a violation of the Code. Any employee who willfully engages in such conduct is subject to disciplinary action up to and including termination as well as civil and criminal penalties.
- **Retaliation**  
Retaliation against an individual for reporting, in good faith, a violation of this, or any other, college policy, or for participating in an investigation is a serious violation and will be subject to disciplinary action.
- **Disciplinary Action**  
Employees covered by the Collective Bargaining Unit will be disciplined according to the Collective Bargaining Agreement, as well as relevant law and college policy. For non-bargaining employees, the Vice President for Human Resource Management and Labor Relations, or their designee(s), will review the violation and make a recommendation for appropriate disciplinary action.

## Related Policies

- It is the ongoing responsibility of FIT employees to obey the law and follow all college policies and procedures. As such, FIT employees are expected to be familiar with FIT's official college policies.
  - [College Policy Library](#)
  - [College Policies, listed alphabetically](#)

## Related Documents

- [Collective Bargaining Agreement between FIT and the UCE of FIT](#)
- [Employee Manual](#)
- Faculty Handbook

## Contacts

- **Vice President for Human Resource Management and Labor Relations**  
333 7th Avenue, 16th Floor  
(212) 217-3650  
[hresources1@fitnyc.edu](mailto:hresources1@fitnyc.edu)



- **Director of Employee and Labor Relations**  
333 7th Avenue, 16th Floor  
(212) 217-3656  
[hresources1@fitnyc.edu](mailto:hresources1@fitnyc.edu)